

VILLAGE OF BELLEVILLE
SPECIAL MEETING of the VILLAGE BOARD
Monday, January 16, 2012 at 7:00 P.M.
Village Hall - 24 West Main Street

AGENDA

1. Call Meeting to Order
2. Roll call by Clerk
3. Posting of Open Meeting Notice
4. Visitors Who Would Like to Speak Now
5. Visitors Who Would Like to Speak On an Agenda Item
6. **Consent Agenda:**
 - a. Approval of Minutes - January 3, 2012
 - b. Approval of Bills for January 2012 to Date
 - c. Approval of Treasurer's Reports for December 2011
 - d. Approval of Change Order #1 for Iron Works Construction for Test Pit (Dam) Excavation
7. Committee Reports
8. President's Report –
9. Administrator/Clerk/Treasurer's Report –

**ACTION REQUIRING A VOTE MAY BE TAKEN ON
ANY OF THE FOLLOWING ITEMS**

10. **Unfinished Business:**
 - a. Lake Restoration / West Lake Dredging Projects Update
 - b. Appointment of Chairperson and Member(s) to Community Development Authority
 - c. Proposed Purchase of Cosgrove Property with Stewardship Grant Funds (PIN #040-0508-342-9200-1)
 - i. Proposed Ordinance 2012-01-01: An Ordinance Creating Section 7-1-19 f Regarding Trapping of Animals and Amending Section 11-2-1b Offenses Against Public Safety and Peace Relating to Regulation of Firearms, Explosives, and Other Missiles - Hunting Prohibitions
 - ii. Proposed Ordinance 2012-02-01: Providing For the Direct Annexation Of A Portion of the Town Of Montrose To The Village Of Belleville Funds (PIN #040-0508-342-9200-1)
 - d. Administrator/Clerk/Treasurer's Office Staffing / Job Descriptions and Hiring Process

11. **New Business:**

- a. Discussion of Proposal for Additional Lights in Sugar River Park
- b. Proposed Budget Amendment #2 – 2011
- c. Proposed Resolution 2012-01-02: Adopting the Green County *All Hazards Mitigation Plan Revision*
- d. Proposed Responses to Recodification Editorial Analysis Review

12. ADJOURN TO CLOSED SESSION – Discussion of Clerk’s Office Staffing per 19.85(1)(c) - Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

13. RECONVENE TO OPEN SESSION for possible action on items discussed in closed session

14. **Other Business:**

- a. Correspondence –
- b. Announcements –
- c. Future Meeting Dates
- d. Questions and Items for Referral

15. Adjournment

-By Howard Ward, Village President

The Village of Belleville complies with the Americans with Disabilities Act (ADA):

If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please contact the person below at least two business days prior to the meeting.

Si necesita un interprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuniquese al numero de telefono que figura a continuacion dos dias habiles como minimo antes de la reunion.

Contact: April Little, Village Administrator, 24 W. Main Street
608.424.3341
alittle@villageofbelleville.com

Final agenda will be posted by 4 p.m. Friday preceding the meeting at these locations:
Union Bank & Trust Co (UB&T), Sugar River Bank, Village Hall, Library, Village of Belleville Web site.

MINUTES OF REGULAR VILLAGE OF BELLEVILLE BOARD MEETING
HELD TUESDAY, JANUARY 3, 2012 AT
7:00 P.M. VILLAGE HALL - 24 WEST MAIN STREET

1. Call to order - The meeting was called to order by Village President Howard Ward at 7:00 PM.
2. Roll call by Clerk – Trustees present were: Tyler Kattre, Ben O'Brien, Howard Ward, Gary Ziegler, Deb Kazmar and Bonnie Wilcox. Excused: Jim Schmitz

Visitors: Brad Peterson, Belleville Recorder; Justin Frahm and Hans Justeson, JSD Engineering; Terry Kringle; Michael Parkin; and Stephen Gochenaur
3. The Clerk stated that the meeting has been noticed as required by law.
4. Visitors Who Would Like to Speak Now – No discussion.
5. Visitors Who Would Like to Speak On an Agenda Item
6. **Consent Agenda:** *Trustee Ziegler made a motion to approve the consent agenda; seconded by Trustee Wilcox. Motion carried with Trustee O'Brien abstaining.*
 - a. Approval of Minutes - December 5, 2011
 - b. Approval of Bills for December 2011
 - c. Approval of Treasurer's Reports for November 2011 / Fourth Quarter Reports 2011
 - d. Approval of Operator's License Application for Ben O'Brien (Dam Bar)
 - e. Approval of Operator's License Application for Nicholas L. Sies (Sugar River Lanes)
7. Committee Reports – No discussion.
8. **President's Report** – President Ward suggested also looking at parcels north and west of the Sugar River for possible Stewardship purchase. President Ward is hoping to do another tour of the parcels the Village owns in the area where there might be a trail extension.
9. **Administrator/Clerk/Treasurer's Report** – Little announced declared candidates for the Spring Election.
10. **Unfinished Business:**
 - a. **Lake Restoration / West Lake Dredging Projects Update** – A change order for \$750 to investigate the dam structure using the Ironworks Inc. was administratively approved as allowed under ordinance. Some under water-surface investigation is needed to satisfy DNR that the dam is structurally sound, because no building plans can be found (as work was done decades ago).
 - b. **Appointment of Chairperson and Member(s) to Community Development Authority** – President Ward is still looking for a chairperson. President Ward is

nominating Jennifer Mickelson to serve on the CDA; *Trustee Ziegler made a motion to approve Mickelson's nomination to CDA; seconded by Trustee Wilcox.* Motion carried. Ward also said the CDA has a situation where we need to have all members be Village residents, by state law, and one member is not a resident. He will work on resolving the situation.

- c. **Budget Amendment #1 – 2012 / 2011 Carryover Items to 2012** – Little said that the amendment carries over funds for police uniforms, a parks mower, library elevator repair, recodification, old library repair, a parks capital project, and library items. *Trustee Ziegler made a motion to approve Budget Amendment #1 - 2012; seconded by Trustee Kazmar.* Motion carried.

11. New Business:

- a. **Bridge Design Illustrations / Viewscape Presentations** – Justin Frahm, JSD Professional Services: Frahm showed several renderings of potential bridge designs by different bridge manufacturers. The challenge is to meet accessibility requirements. Bridge width would be 12 feet, but is a variable. Supports and abutments are another consideration, along with their floodplain impact. Treatments could be timber decking or steel truss. Steel has more costs because larger abutments are required but allows design versatility and longer span. Steel is harder to permit because abutments are more substantial. As you get above flood fringe, there is a five-foot elevation change that must be addressed.

Design options were discussed, with their various advantages and disadvantages: 1) Custom Manufacturing, 100 feet timber deck with sill pans (saves concrete abutment costs; open look under the bridge with riprap). Cost is about \$184,000 - \$225,000. 2) Treated timber with concrete abutments. Cost estimate is \$284-300,000 because of higher abutment costs. Both 1 and 2 would have 40-foot approaches and substantial elevations. 3) Steel truss design with 120-foot span with two 40-foot spans on the ends and concrete abutments. From Wheeler-con. Cost estimate is \$443-450,000. 4) Steel without spanning and using natural embankments. Cost estimate is \$316-325,000.

A 12-foot bridge accommodates two-way traffic and maintenance vehicles, but width is a variable. Treated timber can be maintained in pieces, whereas a steel truss system with concrete requires maintenance that is more intensive. All would have I-beams that could last 50-100 years. Timber might be 10-25 years for maintenance. Naturally weathered steel might be longest lasting option. President Ward was concerned with a patch-like effect on concrete maintenance. Terry Kringle asked if one side could be filled in without floodplain impact.

It was agreed to have one open house-style discussion January 23 at the Public Works Committee meeting at 7 PM, with Village Board decision on the options on February 6, 2012.

- b. **Proposed Purchase of Cosgrove Property with Stewardship Grant Funds / Hunting & Trapping Considerations** – Little said that the grant was initially awarded in 2009, but the state cancelled the funding. They have now “re-awarded” the grant to purchase the 10-acre parcel where the river and lake meet. However, the

14. **Other Business:** Future meeting dates were noted.

15. **Adjournment** – *Trustee Kattre made a motion to adjourn; seconded by Trustee Wilcox. Motion passed unanimously. The meeting was adjourned by President Ward at 9:54 PM.*

*By April Little, Administrator/Clerk/Treasurer
These minutes are not official until approved by the Belleville Board of Trustees.*

GENERAL FUND CHECKING

ALL Checks

Posted From: 1/01/2012 From Account:
Thru: 1/11/2012 Thru Account:

Check Nbr	Check Date	Payee	Amount
V562	1/10/2012	BEIERSDORF, VICTORIA L.	575.51
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
V563	1/10/2012	EICHELKRAUT, WILLIAM B.	1,226.16
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
V564	1/10/2012	FREEMAN, DEBRA	314.39
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
V565	1/10/2012	HENDRICKSON, DARLENE M.	449.67
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
V566	1/10/2012	HILLEBRAND, ROGER J.	1,409.02
	Manual Check	Pay period 12/26/2011 to 01/08/2012	
V567	1/10/2012	LEHMANN, BRONNA B.	357.72
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
V568	1/10/2012	LIEN, TRACY	200.69
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
V569	1/10/2012	LITTLE, APRIL A. W.	1,611.03
	Manual Check	Pay period 12/26/2011 to 01/08/2012	
V570	1/10/2012	MARTIN, JEREMY A	519.31
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14932	1/10/2012	*** Test Check ***	0.00
	Test Check	*** VOID *** VOID *** VOID *** VOID ***	
14933	1/10/2012	AUSTIN, MARY H.	387.96
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14934	1/10/2012	BIGLER, JULIE L.	96.81
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14935	1/10/2012	BUTTS, JERRY D.	1,274.96
	Manual Check	Pay period 12/26/2011 to 01/08/2012	
14936	1/10/2012	CHRISTENSEN, JEAN M.	691.32
	Manual Check	Pay period 12/26/2011 to 01/08/2012	
14937	1/10/2012	DIEDERICH, FREDERICK H.	643.17
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14938	1/10/2012	FURMAN, RACHEL M.	645.94
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14939	1/10/2012	HELLER, MOLLY K	54.52
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14940	1/10/2012	HULTINE, MOLLY M.	783.41
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14941	1/10/2012	O'CONNOR, THOMAS P.	761.22
	Manual Check	Pay period 01/01/2012 to 01/08/2012	

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ALL Checks

Posted From: 1/01/2012 From Account:
Thru: 1/11/2012 Thru Account:

Check Nbr	Check Date	Payee	Amount
14942	1/10/2012	PAULI, DAVID J.	577.09
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14943	1/10/2012	PELTON, TERESA A.	395.54
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14944	1/10/2012	SOLBERG, SHEREE	207.94
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
14945	1/10/2012	YOUNG, TERESA M	150.98
	Manual Check	Pay period 01/01/2012 to 01/08/2012	
18118	1/03/2012	BAER INSURANCE	15,700.00
		INV # 20795 & INV # 20856	
18119	1/09/2012	VILLAGE OF BELLEVILLE	1,275.53
		HEALTH CARE FLEX BENEFIT ACCT DEPOSIT	
18120	1/10/2012	*** Test Check ***	0.00
	Test Check	*** VOID *** VOID *** VOID *** VOID ***	
18121	1/10/2012	2012 WCPA=WPLF WINTER CONFERENCE	100.00
		2012 WCPA=WPLF WINTER CONFERENCE	
18122	1/10/2012	ADVANCE CONSTRUCTION, INC.	65,659.49
	Previous Year Expense	FINAL PAYMENT	
18123	1/10/2012	AFLAC	528.00
		INV # 585729 DEC 16TH - JAN 12TH	
18124	1/10/2012	ALLIANT ENERGY/WP&L (3)	79.73
	Previous Year Expense	ACCT # 174502-010	
18125	1/10/2012	ALLIANT ENERGY/WP&L (4)	2,447.86
		ACCT # 167309-010	
18126	1/10/2012	BAER INSURANCE	813.00
		INV # 20958 BLANKET CRIME BOND	
18127	1/10/2012	BAKER & TAYLOR	3,362.44
	Previous Year Expense	INV # 2026299809	
18128	1/10/2012	BAKER TILLY VIRCHOW KRAUSE LLP	4,449.00
	Previous Year Expense	INV # BT560111	
18129	1/10/2012	BELLEVILLE MUNICIPAL WATER DEPT	1,009.71
	Previous Year Expense	ACCT # 049-0101-00	
18130	1/10/2012	BELLEVILLE MUNICIPAL WATER DEPT (2)	99.34
	Previous Year Expense		
18131	1/10/2012	BELLEVILLE SCHOOL DISTRICT	632,958.31
		JAN TAX SETTLEMENT - DANE CTY PORTION	
18132	1/10/2012	BOND TRUST SERVICES CORPORATION	150.00
		REF: 35434-CP	

GENERAL FUND CHECKING

ALL Checks

Posted From: 1/01/2012 From Account:
Thru: 1/11/2012 Thru Account:

Check Nbr	Check Date	Payee	Amount
18133	1/10/2012	BUCKY'S PORTABLE TOILETS, INC. INV # 35353 COMM PK THRU 02-09-12	181.20
18134	1/10/2012	BWI INV # 237482D	6.48
18135	1/10/2012	CATE MACHINE AND WELDING, INC. INV # 34328 SEWER	86.56
Previous Year Expense			
18136	1/10/2012	CHARTER COMMUNICATIONS ACCT # 8245 11 719 0015586	108.08
18137	1/10/2012	CHARTER COMMUNICATIONS ACCT # 8245 11 719 0001982	277.30
18138	1/10/2012	CHARTER COMMUNICATIONS ACCT # 8245 11 719 0015420	290.35
18139	1/10/2012	CINTAS CORPORATION ACCT # 446-32222	251.64
Previous Year Expense			
18140	1/10/2012	CITGO FLEET # 131801342	909.87
Previous Year Expense			
18141	1/10/2012	CITGO (2) FLEET # 132004243	1,142.79
Previous Year Expense			
18142	1/10/2012	DANE COUNTY CITIES & VILLAGES ASSOCIATION 2012 ASSOCIATION DUES	810.00
18143	1/10/2012	DANE COUNTY TREASURER (2) JANUARY TAX SETTLEMENT - STATE PORTION	158,264.87
18144	1/10/2012	DANE COUNTY TREASURER (3) INV 17154 FIREARMS RANGE USE	75.00
18145	1/10/2012	DAVID PAULI SHOE REIMBURSEMENT	200.00
Previous Year Expense			
18146	1/10/2012	FONDY AUTO ELECTIC INV # M77678 SEWER JETTER	240.89
Previous Year Expense			
18147	1/10/2012	FRONTIER (2) 608-424-3545	218.55
Previous Year Expense			
18148	1/10/2012	GALLS, AN ARAMARK COMPANY INV # 511856209 CAMERA CASE	22.49
Previous Year Expense			
18149	1/10/2012	GORDON FLESCH CO., INC. INV # 1EG005	113.70
Previous Year Expense			
18150	1/10/2012	GREEN COUNTY TREASURER JANUARY TAX SETTLEMENT - STATE PORTION	86,097.73
18151	1/10/2012	INGRAM LIBRARY SERVICES INV # 02493772	45.82
Previous Year Expense			

GENERAL FUND CHECKING

ALL Checks

Posted From: 1/01/2012 From Account:
Thru: 1/11/2012 Thru Account:

Check Nbr	Check Date	Payee	Amount
18152	1/10/2012	INTERIOR INVESTMENTS OF MADISON, LLC	2,094.50
Previous Year Expense		INV # 60773 CHAIRS	
18153	1/10/2012	IRON WORKS CONSTRUCTION CO	76,275.50
		PAYMENT #1	
18154	1/10/2012	J & K SECURITY SOLUTIONS	287.76
Previous Year Expense		INV # 338273 PADLOCKS	
18155	1/10/2012	J. MAUEL & ASSOCIATES	200.00
Previous Year Expense		2011 TAX COLLECTION/PET LICENSE SOFTWARE	
18156	1/10/2012	JILL WEDIG	3,563.23
		DOUBLE PAYMENT OF RE TAXES	
18157	1/10/2012	L.W. ALLEN, INC.	1,748.86
Previous Year Expense		INV 091829 PUMP	
18158	1/10/2012	LANTECH SERVICES, LLC	510.00
Previous Year Expense		INV # 61485	
18159	1/10/2012	LATHROP & CLARK LLC	325.00
Previous Year Expense		INV # 138440 HANDBOOK REVIEW	
18160	1/10/2012	LEAGUE OF WISCONSIN MUNICIPALITIES	840.15
		2012 LEAGUE SERVICES	
18161	1/10/2012	MADISON AREA TECHNICAL COLLEGE DISTRICT	114,737.95
		JAN TAX SETTLEMENT - DANE CTY PORTION	
18162	1/10/2012	MADISON METROPOLITAN SEWERAGE DISTRICT	3,619.39
Previous Year Expense		CUSTOMER # VBELLE INV # 9177	
18163	1/10/2012	MANDT SANDFILL	40.00
Previous Year Expense		INV # 2083 HAUL FILL DIRT	
18164	1/10/2012	MIDWEST TAPE	265.90
Previous Year Expense		INV # 2715180	
18165	1/10/2012	MILPORT ENTERPRISES, INC.	3,810.05
		INV # 216650 ALUM SULFATE	
18166	1/10/2012	MONROE TRUCK EQUIPMENT, INC.	234.00
Previous Year Expense		INV # 5206243 SNOW REMOVAL	
18167	1/10/2012	MSA PROFESSIONAL SERVICES, INC.	5,574.57
Previous Year Expense		R00372008.0 FWSSSI CRS PROJ B SCHOOL DIS	
18168	1/10/2012	NEWS PUBLISHING COMPANY, INC.	547.03
Previous Year Expense		TAX NOTICE	
18169	1/10/2012	NORTH SHORE BANK,FSB	280.00
		JANUARY 9TH PAYROLL	
18170	1/10/2012	NORTHERN LAKE SERVICE, INC.	83.40
Previous Year Expense		INV # 208876	

GENERAL FUND CHECKING

ALL Checks

Posted From: 1/01/2012 From Account:
Thru: 1/11/2012 Thru Account:

Check Nbr	Check Date	Payee	Amount
18171	1/10/2012	PURE WATERS, LLC INV # 85708	22.00
18172	1/10/2012	QUILL CORP	87.22
Previous Year Expense		ACCT # C6052818	
18173	1/10/2012	ROBERT E. LEE & ASSOCIATES	9,250.00
Previous Year Expense		INV # 64705	
18174	1/10/2012	ROBERT FLANAGAN FOOD PANTRY SUPPLIES - FARM & FLEET	205.00
18175	1/10/2012	S&L UNDERGROUND AND TRUCKING, INC.	22,602.30
Previous Year Expense		FINAL PAYMENT	
18176	1/10/2012	SCHWAAB, INC.	76.99
Previous Year Expense		INV # B80643	
18177	1/10/2012	SOUTH CENTRAL LIBRARY SYSTEM INV11-727 2012 DIGITAL MEDIA BUYING POOL	612.00
18178	1/10/2012	SUGAR RIVER BANK BUTTS	200.00
18179	1/10/2012	THE MINNESOTA LIFE INSURANCE COMPANY DECEMBER 2011 PREMIUM	525.78
18180	1/10/2012	TROY HANDEL REFUND ON PROPERTY TAX OVERPAYMENT	2,401.89
18181	1/10/2012	U.S. CELLULAR	28.81
Previous Year Expense		ACCT # 335032686	
18182	1/10/2012	UPPER SUGAR RIVER WATERSHED ASSOCIATION 2012 CONTRIBUTION	1,163.00
18183	1/10/2012	WEAVER AUTO PARTS - NEW GLARUS	27.60
Previous Year Expense		ACCOUNT # 90444	
18184	1/10/2012	WISCONSIN CHIEFS OF POLICE ASSOCIATION, INC. 2012 DUES	100.00
18185	1/10/2012	WISCONSIN DEPARTMENT OF REVENUE 11 ASSESS. OF MANUFACTURING PROPERTY FEE	624.19
18186	1/10/2012	WISCONSIN DEPARTMENT OF REVENUE TAX ACCOUNT # 600-0000242412-03	10.00
18187	1/10/2012	WISCONSIN LIBRARY SERVICES INV # 36453	348.54
18188	1/10/2012	WISCONSIN MUNICIPAL COURT CLERKS ASSOCIATION 2012 DUES TERESA PELTON	40.00
18189	1/10/2012	WISCONSIN PROFESSIONAL POLICE ASSOCIATION, INC JANUARY DUES # 243	159.00

1/11/2012 10:45 AM

Reprint Check Register - Quick Report - ALL

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ACCT

GENERAL FUND CHECKING

ALL Checks

Posted From: 1/01/2012 From Account:
Thru: 1/11/2012 Thru Account:

Check Nbr	Check Date	Payee	Amount
18190	1/10/2012	WJZ CLEANING, LLC	440.00
Previous Year Expense		INV # 5749 DECEMBER CLEANINGS	
18191	1/10/2012	WJZ CLEANING, LLC (2)	250.00
Previous Year Expense		INV # 5750 DEC CLEANINGS	
18192	1/10/2012	WORKHORSE SOFTWARE SERVICES, INC	3,075.00
		2012 SUPPORT	
ACHJANDENT	1/05/2012	DENTAL INSURANCE	1,562.93
Manual Check		ACH DENTAL INS JAN PREMIUM	
		Grand Total	1,250,159.63

GENERAL FUND CHECKING

ALL Checks

Posted From: 1/01/2012 From Account:
Thru: 1/11/2012 Thru Account:

	Amount
Total Expenditure from Fund # 100 - GENERAL FUND	1,041,110.04
Total Expenditure from Fund # 300 - DEBT SERVICE FUND	150.00
Total Expenditure from Fund # 500 - CAPITAL PROJECT FUND	11,593.71
Total Expenditure from Fund # 510 - TIF 3 / FAR WEST SIDE DEV	13,024.76
Total Expenditure from Fund # 550 - WASTE MANAGEMENT	84.63
Total Expenditure from Fund # 600 - WATER & SEWER	20,947.61
Total Expenditure from Fund # 650 - STORM WATER UTILITY	1,344.35
Total Expenditure from Fund # 800 - LAKE RESTORATION	151,184.99
Total Expenditure from Fund # 900 - LIBRARY	10,604.10
Total Expenditure from Fund # 950 - CEMETERY FUND	115.44
Total Expenditure from all Funds	1,250,159.63

DECEMBER 2011 TREASURER'S REPORT

	CHECKING	SAVINGS	CD ACCOUNTS	TOTALS
Account Balances:				
General Fund (100)	\$546,852.63	\$1,627,073.69		\$2,173,926.32
Debt Services (300)	\$57,839.30	\$0.00		\$57,839.30
Debt Service Reserve Funds	\$186,636.54			\$186,636.54
Capital Projects (500)	-\$76,130.03	\$298,971.38		\$222,841.35
TIF 3 (510)	-\$161,519.95	\$50,423.32		(\$111,096.63)
TIF 4 (520)	-\$9,017.33	\$0.00		(\$9,017.33)
TIF 5 (530)	-\$16,465.63	\$0.00		(\$16,465.63)
Waste Management (550)	-\$75,376.46	\$0.00		(\$75,376.46)
Water/Sewer (600)	\$833,318.34	\$538,775.31		\$1,372,093.65
Stormwater (650)	-\$2,650.20	\$0.00		(\$2,650.20)
CDA (720)	\$15,042.78	\$361,039.53		\$376,082.31
Lake Restoration (800)	\$5,689.67	\$0.00		\$5,689.67
Library (900)	\$71,845.96	\$0.00		\$71,845.96
Cemetery (950)	\$33,090.48	\$24,685.68		\$57,776.16
	<u>\$1,409,156.10</u>	<u>\$2,900,968.91</u>	<u>\$0.00</u>	<u>\$4,312,775.21</u>
Monthly:				
Expenditures:	\$168,869.99			
Payroll:	\$53,928.38			
Receipts:	\$2,021,438.23			
Withholdings:	\$32,175.13			

Change Order

No. 1

Date of Issuance: January 5, 2012 Effective Date: January 5, 2012

Project: Lake Belle View – West Lake Dredging	Owner: Village of Belleville, WI	Owner's Contract No.:1428-09
Contract: Lake Belle View – West Lake Dredging		Date of Contract: October 4, 2011
Contractor: Iron Works Construction Company, LLC		Engineer's Project No.:1428-09

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

1. Excavate one test pit upstream of the northern section of the dam, with close coordination with WDNR and Engineer. Contractor will stage the excavator from the existing riprap area north of the dam, taking care not to damage the grouted riprap section. It is not anticipated that the turf grass adjacent to the riprap would be disturbed, but any restoration is not included in the scope.

Attachments (list documents supporting change):

None

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: \$ <u>159,935.00</u> Increase from previously approved Change Orders: \$ <u>0</u> Contract Price prior to this Change Order: \$ <u>159,935.00</u> Increase of this Change Order: \$ <u>750.00</u>	Original Contract Times: <input type="checkbox"/> Working days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): <u>May 15, 2012</u> Ready for final payment (days or date): <u>July 1, 2012</u> Increase from previously approved Change Orders: Substantial completion (days): <u>N/A</u> Ready for final payment (days): <u>N/A</u> Contract Times prior to this Change Order: Substantial completion (days or date): <u>N/A</u> Ready for final payment (days or date): <u>N/A</u> Increase of this Change Order: Substantial completion (days or date): <u>None</u> Ready for final payment (days or date): <u>None</u>

Contract Price incorporating this Change Order:

\$ _____ 160,685

Contract Times with all approved Change Orders:

Substantial completion (days or date): _____ May 15, 2012

Ready for final payment (days or date): _____ July 1, 2012

RECOMMENDED:

By: 

Engineer (Authorized Signature)

Date: January 5, 2012 _____

ACCEPTED:

By: _____

Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: 

Contractor (Authorized Signature)

Date: 1-6-12

April Little

From: Soggi Sigmarsson [Soggi@ma-rs.org]
Sent: Wednesday, January 11, 2012 12:14 PM
To: April Little
Subject: RE: misc

April,

I have invoices for the West Lake Dredging CRS and the monitoring contract for services in december that should get to you this week.

I haven't received a pay request from NES for the vegetation maintenance work which would be the only remaining 2011 bill. I asked them about it and Adam said he would look into it. I haven't heard anything since. Do you want me to push them to get a pay request in for 2011?

Update:

1428-05 - Dam improvements

- We met with the DNR last week on-site and excavated upstream of the dam to look for something below the dam that indicates that there is a cut-off wall that improves the calculated stability of the dam. We found this "something" and the DNR agreed that we could go ahead and revise our analysis including a cut-off wall below the dam. We are revising the analysis this week and subsequently submitting the stability analysis to the DNR for approval to meet our requirements for the NR 333 permit revision.

1428-06 - Construction project

- Advance is done and has submitted a final pay request. The only remaining item here is to submit a FEMA submittal which MARS will perform in the coming weeks and is included in our construction contract.

1428-10 - Vegetation management

- NES is working on invasive species management in the existing islands and cattail removal in January.

1428-11 - Monitoring

- We raised the control structure weir to 858 so the lake is slowly filling to its final elevation of 858 (currently at 857.4).
- We implemented an as-built survey of the habitat areas and found that it has settled approximately 3-feet since last spring. We anticipate the areas to continue to settle because we believe there is still significant moisture in the soil that is being squeezed out of the soil by it's own weight.
- We submitted an end-of-year report to the DNR and the USACE as required by our permits

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describing the as-built work and the monitoring work.

- We are working on putting together a conservation easement or covenant on the new habitat areas to meet a permit requirement this month.
- We'll be starting our 2012 lake monitoring activities in February.

1428-12 West Lake Dredging

- The contractor has completed dredging operations on the community park side and has moved over to the West Side and started dredging operation. He is gone this week but should be back next week as we are getting much colder weather.
- The contractor has been having problems accessing the Olsen field because of how unseasonably warm it has been. We authorized a temporary dredge spoil placement location on the east side of town in Green county where he was authorized to place spoils when conditions were poor at the Olson field. With colder weather ahead of us, the contractor will return to the Olson field for dredge disposal.

Hope this helps.

Thanks

Siggi Sigmarsson, P.E., LEED AP
Water Resources Engineer
siggi@ma-rs.org | <http://www.ma-rs.org>

Montgomery Associates Resource Solutions, LLC
119 South Main Street | Cottage Grove, WI 53527
Phone: (608) 839-4422
Fax: (608) 839-3322
Cell: (608) 695-2404

From: April Little [mailto:alittle@villageofbelleville.com]
Sent: Wednesday, January 11, 2012 11:03 AM
To: Siggi Sigmarsson
Subject: misc

Hi Siggi – Do you have any final 2011 bills for us so we can close our books? Also, anything new to report for our Monday Village Board meeting? Looks like things are just going along!

April Little
Village Administrator/Clerk/Treasurer
Village of Belleville
24 W. Main Street, PO Box 79
Belleville, WI 53508
(608) 424-1655
FAX (608) 424-3423
Email: alittle@villageofbelleville.com

1/11/2012

VILLAGE OF BELLEVILLE ORDINANCE 2012-01-01:

**An Ordinance Creating Section 7-1-19 f Regarding Trapping of
Animals and Amending Section 11-2-1b Offenses Against Public
Safety and Peace Relating to Regulation of Firearms, Explosives, and
Other Missiles - Hunting Prohibitions**

The Village Board of the Village of Belleville, Dane County and Green County,
Wisconsin, do ordain as follows:

Section 7-1-19 f is created to read as follows:

Sec. 7-1-19 Trapping of Animals

- a. In the interest of public health and safety, it shall be unlawful for any person, in or on Village-owned land within the Village of Belleville to set, place or tend any trap for the purpose of trapping, killing, catching, wounding, worrying or molesting any animal, except by use of live box-type traps only. Live box-type traps shall be defined as those traps which capture and hold an animal in an alive and unharmed condition.
- b. This Section shall prohibit the use of all traps other than live traps as described above, including, but not limited to, traps commonly known as leg traps, pan-type traps or other traps designed to kill, wound or close upon a portion of the body of an animal.
- c. All such traps set, placed or tended shall comply with Chapter 29 of the Wisconsin Statutes as they relate to trapping.
- d. This Section shall not apply to trapping on private property.
- e. Nothing in this Section shall prohibit or hinder the Village of Belleville or its employees or agents from performing their official duties.
- f. **Trapping is allowed according to state regulations on lands acquired using the State of Wisconsin Knowles-Nelson Stewardship Program Funds.**

Section 11-2-1 (b) is amended to read as follows:

B. Hunting prohibited. Hunting within the Village of Belleville is prohibited, **with the exception that archery hunting is allowed according to state regulations on lands acquired using State of Wisconsin Knowles-Nelson Stewardship Program funds.**

Adopted at a regular meeting of the Village Board this ____ day of January, 2012.

By Howard Ward, Village President

ATTEST:

April Little, Village Administrator/Clerk/Treasurer

Vote: Yes - No - Publication: //2012

April Little

From: Rizzo, Bill [Rizzo@countyofdane.com]
Sent: Wednesday, January 04, 2012 3:39 PM
To: Rizzo, Bill
Subject: Local Government Educational Programs - January and February 2012
Dane County Local Government Officials:

Below is a listing of a number of excellent educational programs produced by the UW-Extension's Local Government Center and a number of its partners and collaborators for January and February 2012. Please look through this list and pass it along to others in your community who may be interested.

Best regards, Bill

Bill Rizzo, PhD
Community Resource Development Educator
Dane County UW-Extension
1 Fen Oak Court, Room 138
Madison, WI 53718-8812
Office: 608-224-3719 711 for WI Relay (TDD)
Email: Rizzo@countyofdane.com
Fax: 608-224-3727

**UWEX Local Government Center and Related Programs
January – February 2012**

The **UW-Extension Local Government Center**, part of the Cooperative Extension Service, is publishing this announcement of its statewide programs on a monthly basis. Information about the **Local Government Center** and its programming may be found at lgc.uwex.edu. With regard to Local Government Center Programs specifically, in case of inclement weather, the LGC's [Local Call blog](#) will have the most up-to-date information regarding the status of our programs.

January

January 11, 2012 – **"Using and Amending Your Comprehensive Plan"** – (#1782-4) – Part of the Local Government Center's "Local Land Use, Planning, and Zoning" WisLine series. Available at any WisLine site 10:30 – 12:00 p.m. Fee \$20 per person. Local governments need to make certain decisions based on their local comprehensive plans (the "consistency requirement"). This WisLine session will review some of the "best practices" for how local governments use their comprehensive plans for day-to-day decision-making and the processes developed by some local governments for amending their comprehensive plans. *Moderated and Presented by Brian W. Ohm, J.D., Land Use Law Specialist, Department of Urban & Regional Planning, UW-Madison/Extension; with Kevin Struck, UWEX Growth Management Educator, Sheboygan County; and other presenters.* Contact WisLine Registrations at 608-262-0810 or consult the registration brochure online at <http://lgc.uwex.edu/WisLines/index.html>.

January 17, 2012 – **"Keys to Coaching Your Employees"** – Certified Public Manager Program. 8:30 am – 3:15 pm, Pyle Center, Madison. Cost: \$128. In this class, we analyze our current strengths, review

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research on what great managers do differently, and practice coaching skills that we can use every day at work. To help you put coaching principles into practice, we explore the importance of body language, tone of voice, and three levels of listening; we also practice open-ended questions, reflective responses, positive feedback, correcting statements, and how to engage cooperation from your staff. *Presenter: Mary Hoddy, Staff Education and Training Coordinator, UW-Madison's Wisconsin Union.* To register, please call 608-262-0810 or 1-800-752-9692.

January 18, 2012 – **“Voter Photo ID and Provisional Voting Information for Election Day Officials”** – (#1780-7) – Part of the Local Government Center’s “Conducting Local Elections” WisLine series. Available at any WisLine site 10:30 – 12:00 p.m. Fee \$20 per person. Still a little shaky on the Photo ID law as it pertains to your duties? Wondering how to handle provisional ballot situations? This session - focusing mainly on election-day activities - provides procedural advice and common sense tips. *Presented by representatives from the Wisconsin Government Accountability Board – Elections Division.* Contact WisLine Registrations at 608-262-0810 or consult the registration brochure online at <http://lgc.uwex.edu/WisLines/index.html>. **Note: this program will be in high demand; register early!**

January 19, 2012 – **“Open Meetings Law”** – (#1783-1) – Part of the Local Government Center’s “Open Government and Parliamentary Procedure” WisLine series. Available at any WisLine site 2:00 – 4:00 p.m. Fee \$20 per person. Discover the basics of Wisconsin’s Open Meetings Law from a panel of attorneys recognized as the “go-to” sources on this topic. Includes discussion of cases and opinions interpreting and applying the law. *Presented by Claire Silverman, League of Wisconsin Municipalities; Carol Nawrocki and Lee Turonie, Wisconsin Towns Association; and Bruce Olsen, Office of the Attorney General.* Contact WisLine Registrations at 608-262-0810 or consult the registration brochure online at <http://lgc.uwex.edu/WisLines/index.html>.

January 23, 2012 – **“Roles and Tools in County Administration”** – Wisconsin Counties Association Educational Seminar. 10:00 am – 4:00 pm, Stevens Point. Cost: \$65 per person from member counties; \$115 for non-members. Topics include oversight vs. implementation for county supervisors, county organizational forms, performance-based measurements in county government, and financial forecasting. *Presented by Attorney Andrew Phillips, Phillips Borowski, S.C.; Alan Probst, Local Government Center Specialist; and Jeff Carew, PMA Financial Network.* For more information, please visit <http://events.wicounties.org/files/January%202012%20WCA%20Educational%20Seminar.pdf>

January 25, 2012 – **“Training for Election Day Officials/Special Topics”** – (#1780-8) – Part of the Local Government Center’s “Conducting Local Elections” WisLine series. A review of Election Day activities, such as voting equipment and ballot bag security procedures, opening the polling place, processing absentee ballots, challenging electors, handling observers, and election-day registration. *Presented by representatives from the Wisconsin Government Accountability Board – Elections Division.* Contact WisLine Registrations at 608-262-0810 or consult the registration brochure online at <http://lgc.uwex.edu/WisLines/index.html>.

January 26, 2012 – **“Public Records Law”** – (#1783-2) – Part of the Local Government Center’s “Open Government and Parliamentary Procedure” WisLine series. Available at any WisLine site 2:00 – 4:00 p.m. Fee \$20 per person. Learn about Public Records Law and the court and attorney general opinions applying it from a seasoned panel of attorneys. *Presented by Claire Silverman, League of Wisconsin Municipalities; Carol Nawrocki and Lee Turonie, Wisconsin Towns Association; and Bruce Olsen, Office of the Attorney General.* Contact WisLine Registrations at 608-262-0810 or consult the registration brochure online at <http://lgc.uwex.edu/WisLines/index.html>.

February

February 2, 2012 – **“Ethics and Conflicts of Interest”** – (#1783-3) – Part of the Local Government Center’s “Open Government and Parliamentary Procedure” WisLine series. Available at any WisLine site 2:00 – 4:00 p.m. Fee \$20

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per person. Discover the ethics and conflict of interest laws that apply to local officials as they conduct government business. *Presented by Philip Freeburg, Local Government Center Law Educator, and Jonathan Becker, State Ethics Board.* Contact WisLine Registrations at 608-262-0810 or consult the registration brochure online at <http://lgc.uwex.edu/WisLines/index.html>.

February 8, 2012 – “**State Land Use Programs Updates**” – (#1782-5) – Part of the Local Government Center’s “Local Land Use, Planning, and Zoning” WisLine series. Available at any WisLine site 10:30 – 12:00 p.m. Fee \$20 per person. Various state agencies administer numerous programs that relate to local land use planning. This WisLine session will highlight recent developments for some of those programs such as shoreland zoning, the Nelson-Knowles Stewardship Program, the Working Lands Initiative, and other programs. *Moderated and Presented by Brian W. Ohm, J.D., Land Use Law Specialist, Department of Urban & Regional Planning, UW-Madison/Extension; presented by Sally Kiefer, Land Use Team Leader, Wisconsin Department of Natural Resources; Keith Foye, Wisconsin Department of Agriculture, Trade and Consumer Protection and other presenters.* Contact WisLine Registrations at 608-262-0810 or consult the registration brochure online at <http://lgc.uwex.edu/WisLines/index.html>.

February 9, 16, 23, and March 1, 2012 – “**Parliamentary Procedure for Local Governments**” – (#1783-4) – Part of the Local Government Center’s “Open Government and Parliamentary Procedure” WisLine series. Available at any WisLine site 3:00 – 4:20 p.m. Fee \$80 per person. This four-course program provides a basic understanding of the traditional rules of procedure that local government officials use when conducting meetings. Each program is organized around basic principles and will address many of the more frequently asked questions about parliamentary procedure. Registration includes a copy of *A Guide to Parliamentary Procedure* by Larry Larmer. *Presented by Professor Larry Larmer, UW-Madison Professor Emeritus and Edgewood College/Local Government Center Outreach Specialist.* Contact WisLine Registrations at 608-262-0810 or consult the registration brochure online at <http://lgc.uwex.edu/WisLines/index.html>.

Courses:

- February 9: Principle of Parliamentary Authority
- February 16: Principles of a Meeting and Majority Rule
- February 23: Principle of Order
- March 1: Minutes of Local Government Meetings

February 14, 2012 – “**Telecommunications Deregulation and Broadband Expansion**” – (#1781-5) – Part of the Local Government Center’s “Current Issues Affecting Local Government Officials” WisLine series. Available at any WisLine site 10:30 – 12:00 p.m. Fee \$20 per person. Find out how 2011 Wisconsin Act 22 eliminated much of the regulation of telecommunication companies and how this will affect your local government. These changes reflect a larger dialogue about the public and private sector roles in regulating and providing telecommunication services. *Presented by Professor Barry Orton, UW-Madison Professional Development and Applied Studies. Other speakers TBA.* Contact WisLine Registrations at 608-262-0810 or consult the registration brochure online at <http://lgc.uwex.edu/WisLines/index.html>.

February 22, 2012 – “**Addressing and Responding to Employee Misconduct**” – Certified Public Manager Program. 8:30 am – 3:15 pm, Pyle Center, Madison. Cost: \$128. As a manager, a careful response to employee misconduct is critical to your organization and the perception of the larger community. In this workshop you explore a variety of leadership approaches that address both internal and external implications in misconduct situations. Learn how to deal effectively with the media and how to reestablish public confidence and public trust in your organization. Through a case example, you practice a variety of different responses to a misconduct scenario to begin to develop necessary skills. *Presenter: Jerry Schuetz, City of Milton administrator and Wisconsin Certified Public Manager.* To register, please call 608-262-0810 or 1-800-752-9692.

1/6/2012

**Village of Belleville
BUDGET RESOLUTION NUMBER 2-2011**

A Resolution changing the adopted 2011 budget of the Village of Belleville, Wisconsin, adopted by a two-thirds majority vote of the entire Village Board.

BE IT RESOLVED by the Village Board of the Village of Belleville the following:

1. That proceeds in an amount of \$4000.00 received from the Wisconsin Department of Transportation as a grant on November 7, 2011, and deposited into account 100-00-42423-000-333, will be applied as offset to the purchase of a speed board for the police department from account 100-52100-240-000.
2. That \$440.00 from 2011 General Fund expenditure budget account 100-00-51210-330, Court Travel/Training, is carried forward to the 2012 budget account 100-00-51210-330.
3. That transfers between 2011 Library Fund expenditure accounts will be made as follows:

ACTION	FROM ACCOUNT	TO ACCOUNT	AMOUNT OF TRANSFER	NEW BUDGET AMOUNT
TRANSFER	900-00-55110-710 BOOKS		\$ 7,384.00	\$ 1,454.00
		55110-110 SALARY	\$ 6,000.00	\$ 118,242.00
		55110-111 SALARY	\$ 350.00	\$ 3,350.00
		55110-150 BENEFITS	\$ 1,034.00	\$ 59,172.00
TRANSFER	900-00-11100-000 TREASURER'S CASH			
		55110-220 UTILITIES	\$ 850.00	\$ 6,850.00
		55110-221 PHONE	\$ 500.00	\$ 2,500.00
		55110-310-500 POSTAGE	\$ 50.00	\$ 1,250.00
TRANSFER	900-00-55110-330-000 TRAVEL/TRAINING		\$ 1,200.00	0
		330-004 BRONNA	\$ 1,190.22	\$ 1,190.22
		330-001 JEAN	\$ 9.78	\$ 9.78

TRANSFER	900-00-55110-810-999 DESIGNATED		\$ 3,810.53	\$ 1,189.47
		55110-720 NEW EQUIPMENT	\$ 3,810.53	\$ 5,810.53
TRANSFER	900-00-55110-920-000 GREEN COUNTY PAYMENT		\$ 56,713.86	\$ 14,467.14
		330-001 JEAN	\$ 635.44	\$ 635.44
		330-002 DEB	\$ 26.52	\$ 26.52
		55110-700 DVD	\$ 1,099.78	\$ 2,764.78
		55110-765 REFUND LOST ITEM	\$ 30.85	\$ 30.85
		55110-800 ELECTRONIC CONSUMER REPORT	\$ 1.00	\$ 26.00
		920-100 DVDS	\$ 5,789.75	\$ 5,789.75
		920-101 AUDIO	\$ 1,679.06	\$ 1,679.06
		920-102 BOOKS	\$ 24,034.47	\$ 24,034.47
		920-103 TAPES	\$ 446.69	\$ 446.69
		920-104 MAGAZINES	\$ 749.10	\$ 749.10
		920-105 MUSIC/SFT WARE	\$ 2,031.10	\$ 2,031.10
		920-106 MUSIC	\$ 7,992.02	\$ 7,992.02
		920-200 STORYTIME	\$ 489.36	\$ 489.36
		920-201 SUMMER READING	\$ 2,256.58	\$ 2,256.58
		920-203 SCLS	\$ 1,353.72	\$ 1,353.72
		920-300 UTILITIES	\$ 474.39	\$ 474.39
		920-400 MEMBERSHIPS	\$ 85.00	\$ 85.00
		920-600 NEW EQUIPMENT	\$ 5,607.88	\$ 5,607.88
		920-700 ELECTRONICS	\$ 1,931.15	\$ 1,931.15

Adopted at a regular meeting of the Village Board this _____ day of January, 2012.

APPROVED:

Howard Ward, Village President

ATTEST:

April Little, Administrator/Clerk/Treasurer

PUBLISHED: //12

VOTE: approved

2827 6th Street,
Monroe, WI 53566
608-328-9416
Fax: 608-328-9414



Richard Wyttenbach, Director
Tanna McKeon, Coordinator
Judy Kaderly, Coordinator

August 1, 2011

To: Green County Board
Green County Cities
Green County Villages
Green County Towns

Subject: Green County All Hazards Mitigation Plan Revision

The DVD enclosed contains the All Hazards Mitigation Plan revision for Green County. This plan has been tentatively approved by both Wisconsin Emergency Management and the Federal Emergency Management Agency. To become finally approved by both agencies, it needs the adoption of all Green County Municipalities.

Please copy the DVD, or print copies for each member of your boards or councils for their review. The adoption requires either a resolution or an ordinance. Approval of the attached sample resolution would serve to ratify your adoption. Resolutions are requested from the Green County Board, the Cities of Brodhead and Monroe, the villages of Albany, Belleville, Brooklyn, Browntown, Monticello, and New Glarus, and the townships of Adams, Albany, Brooklyn, Cadiz, Clarno, Decatur, Exeter, Jefferson, Jordan, Monroe, Mount Pleasant, New Glarus, Spring Grove, Sylvester, Washington, and York. We will need to receive your signed resolution and a copy of the minutes of the meeting in which it was ratified by November 1, 2011.

Ratification of the All Hazards Mitigation Plan Revision will allow all municipalities and the county to apply for and receive federal project grants, i.e., the Hazard Mitigation Grant Program, Pre-Disaster Mitigation Flood Mitigation Assistance, and Severe Repetitive Loss. These grants provide funds for completing mitigation projects to reduce subsequent damage from disaster incidents and the buyout of homes in repetitive flood loss areas as examples. The previous All Hazards Mitigation Plan has expired and does not provide such protection.

Should you choose to not ratify the plan, you will be held responsible for any and all hazards mitigation plans for your municipality should you need to apply for any of the above listed grants.

All ratifying municipalities should understand that, even though there are numerous actions listed in the plan, you are under no obligation to begin or complete such action suggestions until you are able to include it in your budgetary and planning processes.

You will receive, under separate cover, in the near future, requests for updates specific for each municipality. This will be an annual occurrence since the plan will again expire five years from its approval date. These updates will aid us to complete the required update.

Any questions may be directed to the Green County Emergency Management Office. If you require someone to attend a meeting to explain the plan, contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'Tanna McKeon'.

Tanna McKeon, Coordinator

Resolution # 2012-01-02
Resolution of Village Of Belleville, County Of Dane And Green,
Wisconsin, Adopting the Green County
All Hazards Mitigation Plan Revision

WHEREAS the Village of Belleville recognizes the threat that natural and technological hazards pose to people and property; and

WHEREAS undertaking hazard mitigation actions prior to the occurrence of disasters will reduce the potential for harm to people and property and save tax dollars; and

WHEREAS an adopted all hazards mitigation plan is required as a condition of future grant funding for mitigation projects; and

WHEREAS Village of Belleville participated jointly in the planning process with the other units of government within Green County to prepare an All Hazard Mitigation Plan Revision as an official plan;

IT IS, THEREFORE, RESOLVED THAT:

The Village of Belleville Board of Trustees hereby adopts the Green County All Hazards Mitigation Plan Revision as an official plan; and

BE IT FURTHER RESOLVED THAT the Green County Emergency Management Department will submit, on behalf of the participating municipalities, the adopted *All Hazards Mitigation Plan Revision* to Wisconsin Emergency Management and Federal Emergency Management Agency officials for final review and approval.

Adopted by the Board of Trustees this day ___ of January, 2012.

By a vote of: ___ in favor ___ against ___ abstain

BY: _____
Howard Ward, Village of Belleville President

ATTEST: _____
April Little, Administrator/Clerk/Treasurer



Information made civil.

December 28, 2011

Ms. April Little
Clerk, Village of Belleville
24 W. Main Street
Belleville, WI 53508

Dear April:

I have reviewed the completed Editorial Analysis which you provided and have several follow-up questions. See the enclosed materials.

If you need any additional information please contact me at 800-836-8834 or dtuszynski@generalcode.com.

Sincerely,
GENERAL CODE

A handwritten signature in cursive script that reads "Debora J. Tuszynski".

Debora J. Tuszynski
Editor

DJT:lac

Enc.

Belleville Questions

Copies of the pages of the Editorial Analysis referenced in the questions below are enclosed.

- A. Page 8 of the Editorial Analysis was not returned. This page includes a question regarding the colors for the new Code binders.
- B. Chapter 70, Finance and Taxation. The response to the question regarding § 70-7 is "follow state statute." We need more specific direction as to how the wording of this section should be revised. See page 19, Item C.
- C. Chapter 121, Officers and Employees. The question on page 24, Item E, regarding references to the Clerk, Treasurer and Administrator was not really answered. Ordinance No. 2011-11-01 added provisions to Chapter 121 regarding the office of the Village Administrator. There are over 280 references elsewhere in the Code to the Clerk, Treasurer and Clerk-Treasurer. There are also a few references to the Administrator/Clerk/Treasurer. There were notes elsewhere in the Editorial Analysis indicating that "Village Clerk" should be changed to "Village Administrator." Should all references to the Administrator/Clerk/Treasurer, Clerk, Treasurer and Clerk-Treasurer and be changed to Administrator? If not, how should these references be handled?
- D. Chapter 191, Animals. The response to the question regarding § 191-12D (page 30, Item G) reads "add definition of 'lands zoned agricultural' to § 615-13." However, the actual wording for this definition was not provided. Also, the instruction to add this definition to § 615-13, which is a list of zoning districts, seems incorrect. Definitions are included in § 615-8.
- E. Chapter 231, Cemeteries. We received two copies page 38 with two different responses to Item A. Please clarify which decision we should follow.
- Waiting F. Chapter 272, Fires and Fire Prevention, and Chapter 276, Fireworks. The questions on these chapters were not answered. Pages 40 and 41 of the Editorial Analysis were not returned and the copies we received for pages 39 and 42 had these sections crossed out.
- G. Chapter 320, Intoxicating Liquor and Fermented Malt Beverages. The question at the top of page 50 [Item P(3)] was not answered.
- H. Chapter 331, Juveniles. Item A(2) on page 52 was not answered. The box "Revise as follows" was checked but no revision is indicated.
- I. Chapter 395, Peace and Good Order. On page 61 there is a handwritten note on the bottom of the page that is cut off; it looks like it begins "395-22D - remove or change to...."

J. Chapter 600, Subdivision of Land. In response to Item H on page 86 the decision "Add Table 1; see copy enclosed" was checked but the table was not provided.

K. Chapter 615, Zoning. There are three questions in this chapter where the decision "See revisions on enclosed copy" was checked but no such copy was included. See Items I(2) and (5) and K(2) on pages 95, 96 and 97.

Correct, L. Below is a list of the 2011 ordinances we have for inclusion in the Code. If any additional ordinances were adopted in 2011 please forward copies:

- Ordinance No. 2011-02-01, adopted 2-21-2011
- Ordinance No. 2011-03-01, adopted 3-21-2011
- Ordinance No. 2011-04-01, adopted 4-4-2011
- Ordinance No. 2011-06-01, adopted 6-20-2011
- Ordinance No. 2011-07-01, adopted 7-5-2011
- Ordinance No. 2011-08-01, adopted 8-15-2011
- Ordinance No. 2011-09-01, adopted 12-5-2011
- Ordinance No. 2011-10-01, adopted 10-17-2011
- Ordinance No. 2011-11-01, adopted 11-7-2011
- Nonmetallic mining ordinance, to be adopted with Code adoption

M. We would like to confirm that the correct adoption date for Ordinance No. 2011-09-01 is December 5. If this ordinance was adopted in December, should the ordinance number be changed to 2011-12-01?

Correct - introduced in Sept.

N. *Added Change to 160-9 meetings*

Village of Belleville, WI

All ordinances and bylaws shall be signed by the president and countersigned by the clerk; and, *if any penalty or forfeiture is thereby imposed, the ordinance or bylaw shall be published* either in its entirety, as a class 1 notice, under ch. 985, or as a notice, as described under sub. (3)(b), and shall take effect on the day after the publication or a later date if expressly prescribed.

As resolutions are not usually published, forfeiture amounts are almost always established by ordinance and retained in the Code.

Statutory References

As part of our review of the Manuscript, all references to the Wisconsin Statutes and Wisconsin Administrative Code were checked and, where necessary, updated. Cases where a section has been repealed or where we were unable to determine the current reference are noted in the specific comments which follow.

Sample Legislation

Sample legislation can be provided on request. A number of Wisconsin codes are also posted on our web site (<http://www.generalcode.com/webcode2.html#wisc>) and can be reviewed for samples.

Sample legislation should be used very carefully. It is unlikely that the Village will be able to include as part of its own Code an ordinance adopted by another municipality without some modifications being needed, such as the titles of officials, boards and departments; administrative procedures; and fee amounts. Any samples the Village chooses to use should be thoroughly reviewed and tailored to meet the specific needs of the Village.

Binder Size and Color

The Code books will be 8 ½ x 11 inches in size. Please indicate below the desired color and lettering for the Code book binders. The cover will read "Code of the Village of Belleville Wisconsin." The Village seal or logo can be included on the spine and front of the binders if desired by the Village. A clear image of the seal in black and white works best. Please note that reproduction of a color seal is subject to an additional charge. An estimate can be provided if needed.

Binder Color		Lettering	Seal/Logo
<input checked="" type="checkbox"/> Red	<input type="checkbox"/> Black	<input checked="" type="checkbox"/> White	<input type="checkbox"/> Yes*
<input type="checkbox"/> Green	<input type="checkbox"/> Gray	<input type="checkbox"/> Gold	<input type="checkbox"/> No
<input type="checkbox"/> Blue	<input type="checkbox"/> Brown	<input type="checkbox"/> Silver	

*Attach reproducible copy of Seal/Logo or e-mail copy to ezsupp@generalcode.com



Ch. 70, Finance and Taxation

Art. I, Finance

Title 3 Ch. 1, and Secs. 1-3-2 and 1-3-3 of the 1994 Code

- /A. We will update the references in this article to the Finance Committee to the Finance and Personnel Committee for consistency with § 160-5.
- /B. In § 70-3, Subsection C(1) through (5) consist of incomplete sentences. We will add the following lead-in wording: "The proposed budget shall include the following information:"
- /C. In § 70-7, Public depositories, the last sentence reads "Pursuant to state law, designated public depositories shall be required to pledge U.S. treasury notes equal in amount to any unmeasured balance of the Village's deposit." We could not find such a requirement in the statutes. Section 34.05, Wis. Stats., authorizes the governing body to determine "whether a surety bond or other security shall be required to be furnished under s. 34.07 by the public depository to secure the repayment of such deposits."

Decision:

- Delete the last sentence of § 70-7 *Addressed in a separate financial policy*
- Revise as follows: *follow state statute*
- Make no change

- /D. Section 70-12A(1) refers to §§ 61.55 and 61.56, Wis. Stats., both of which were repealed by 2009 Act 173. This subsection could be revised to match the current wording of § 61.54, Wis. Stats., as amended by 2009 Act 173, as follows: "All contracts for public construction shall be let by the Village Board in accordance with § 62.15, Wis. Stats. The Village Board, or a person or body designated by the Village Board, shall exercise the powers and duties of the Board of Public Works under § 62.15, Wis. Stats."

Decision:

- Revise as indicated
- Revise as follows:

- /E. Please review § 70-13B, Bid solicitation. The amendments to this section adopted by Ordinance No. 2010-07-01 were somewhat confusing.
- /F(1) We have added new Subsection B(1); renumbered former Subsection B(1) through (6) as Subsection B(2) through (7); and added Subsection B(8) and (9). Is this

✓D. Section 121-14A requires every Village officer to take the oath of office "within five days of his or her election or appointment or notice thereof." Section 61.21, Wis. Stats., requires the oath of office to be taken "within 5 days after notice of election or appointment."

Decision:

- Revise to match statute
- Revise as follows:
- Make no change

✓E. It is our understanding that the Village has established the position of Village Administrator and combined this position with the Clerk-Treasurer. Recent amendments to the Code refer to the Administrator/Clerk/Treasurer. The Village will need to determine how existing references throughout the Code to the Clerk, Treasurer and Clerk-Treasurer should be revised. All such references could simply be updated to "Administrator/Clerk/Treasurer." However, if in the future the Village chooses to separate the positions of Administrator and Clerk-Treasurer, all of these references would then need to be changed (there are currently over 280 references in the Code to the Clerk, Treasurer and Clerk-Treasurer). As an alternative, the title "Clerk-Treasurer" could be used throughout the Code, and a section on the Administrator could be added to this chapter which states that the Administrator serves as Clerk-Treasurer.

Decision:

- Use the title "Administrator/Clerk/Treasurer" throughout the Code
- Use the title "Clerk-Treasurer" throughout the Code; add section to this chapter which states that the Administrator serves as Clerk-Treasurer



Other: See new ordinance 2011-11-01
see below —

✓Ch. 130, Police Department

Title 5, Ch. 1, of the 1994 Code

Provided that it reflects current procedures, this chapter appears satisfactory as written.

Suggestion: Use clerk-treasurer throughout
Add to 121-3 Village Clerk Treasurer: "The duties of the Village Clerk-Treasurer shall be performed by the Village Administrator. References in the code to the Clerk-Treasurer shall be construed to refer to the Village official appointed to serve as Administrator/Clerk/Treasurer"

Village of Belleville, WI

RD Rural Development

*J*G. Section 191-12D begins "Except on lands zoned ~~agricultural~~" The Village Zoning Code does not specifically establish any agricultural districts in the Village. See § 615-13.

Decision:

- Revise as follows: ~~add definition of "lands zoned agricultural"~~
- Make no change ~~to 615-13~~

*J*H. In Chapter 395, Peace and Good Order, § 395-1 provides for the adoption by reference of Chapter 951, Crimes Against Animals, of the Wisconsin Statutes. Accordingly, we question whether the following sections in this chapter, which duplicate provisions in Chapter 951, should be deleted:

- (1) Section 191-13, Sale of rabbits, chicks or artificially colored animals. See § 951.10, Sale of baby rabbits, chicks and other fowl, and § 951.11, Artificially colored animals; sale.
- (2) Section 191-14, Providing proper food and drink to confined animals. See § 951.13, Providing proper food and drink to confined animals.
- (3) Section 191-15, Providing proper shelter. See § 951.14, Providing proper shelter.
- (4) Section 191-17B, Leading animal from motor vehicle. See § 951.04, Leading animal from motor vehicle.
- (5) Section 191-17C, Use of poisonous and controlled substances. See § 951.06, Use of poisonous and controlled substances.
- (6) Section 191-17D, Use of certain devices prohibited. See § 951.07, Use of certain devices prohibited.
- (7) Section 191-17E, Shooting at caged or staked animals. See § 951.09, Shooting at caged or staked animals.

Decision:

- Delete indicated sections and subsections
- Revise as follows:
- Make no change

*J*I. Section 191-16B is missing wording. Based on similar ordinances, it appears that the following wording should be included after "for the purpose": "of providing medical

treatment, and the owner thereof shall reimburse the person or organization for the costs of such treatment."

Decision:

- Add indicated wording
- Revise as follows:

✓ J. In § 191-18, Limitation on number of dogs or cats, Subsection C was added in 2010 (Ordinance No. 2010-01-02). This subsection first provides that a violation of § 191-18 will be subject to a forfeiture of not less than \$50 and not more than \$200 but then states that violations will be subject to a per-day fine set by the Deposit Schedule. Is the inclusion of two different penalties correct? If the Deposit Schedule applies perhaps this subsection should be revised to read as follows:

A residential unit in violation of this section will have 15 days to come into compliance with this section once written notice is given by a Village official. Failure to comply after 15 days will result in a per-day fine set by the Municipal Court Deposit Schedule.

Decision:

- Revise as set forth above
- Revise as follows:
- Make no change

Ch. 203, Bicycles and Play Vehicles

Title 12, Ch. 2, of the 1994 Code

A. Section 203-4B and D provide for a fee of \$1 for registration of a bicycle and for transfer of a bicycle. Should this fee be replaced with a reference to the Village Fee Schedule?

Decision:

- Revise § 203-4B and D to refer to the Village Fee Schedule
- Revise as follows:
- Make no change

B. Section 203-5 adopts by reference portions of Chapter NR 45 of the Administrative Code. The current title of Chapter NR 45 is "Use of Department Properties." We have updated

Village of Belleville, WI

- ✓ G. In § 218-12C the wording "report that fact to the Building Inspector, inspect the streets" apparently should read "report that fact to the Building Inspector, who shall inspect the streets." We will make this correction
- ✓ H. The wording of § 218-15A requires revision in the second sentence, where the subject of "may also be subject to a penalty" is currently the Village Attorney. We will revise this wording to read "and such violation may also be subject to a penalty."



Ch. 231, Cemeteries

Title 6, Ch. 6, and Sec. 11-3-5 of the 1994 Code

✓ 2 responses
for each

- ✓ A. Section 231-8D, which applies to Belleville Cemetery, provides that "Dogs will only be allowed in the Cemetery when confined in a vehicle." Section 231-15G, which applies to public and private cemeteries in the Village, provides that "Pets, including animals of any species, and horses are prohibited in any cemetery." Should these provisions be made consistent?

Decision:

- Revise as follows:
- Make no change

*Done 231-9D New 231-15 G. ↓
NO animals are allowed in the Cemetery, unless being utilized as part of the burial service*

⊗ use this wording

- ✓ B. The Village might want to add an exception in both §§ 231-8G and 231-15G for guide dogs as follows: "This subsection shall not apply to seeing eye dogs or other service ~~dogs~~ animals."

Decision:

- Add wording as indicated
- Revise as follows:
- Make no change



Ch. 237, Cigarettes and Tobacco Products

Art. I, Cigarette Licenses

Title 7, Ch. 3, of the 1994 Code

In § 237-3 we question whether the words "any cigarette" should be added as follows: "Licenses for the sale, exchange, barter, disposition of, or giving away or keeping for sale of any cigarette,"

- G. In § 218-12C the wording "report that fact to the Building Inspector, inspect the streets" apparently should read "report that fact to the Building Inspector, who shall inspect the streets." We will make this correction
- H. The wording of § 218-15A requires revision in the second sentence, where the subject of "may also be subject to a penalty" is currently the Village Attorney. We will revise this wording to read "and such violation may also be subject to a penalty."



Ch. 231, Cemeteries

Title 6, Ch. 6, and Sec. 11-3-5 of the 1994 Code

- √A. Section 231-8D, which applies to Belleville Cemetery, provides that "Dogs will only be allowed in the Cemetery when confined in a vehicle." Section 231-15G, which applies to public and private cemeteries in the Village, provides that "Pets, including animals of any species, and horses are prohibited in any cemetery." Should these provisions be made consistent?

Decision:

- Revise as follows:
 Make no change

"Pets, including animals of any species, and horses are prohibited in any cemetery except horses are allowed for funeral services."

- √B. The Village might want to add an exception in both §§ 231-8G and 231-15G for guide dogs as follows: "This subsection shall not apply to seeing eye dogs or other service dogs."

Decision:

- Add wording as indicated
 Revise as follows:
 Make no change

Ch. 237, Cigarettes and Tobacco Products

Art. I, Cigarette Licenses

Title 7, Ch. 3, of the 1994 Code

In § 237-3 we question whether the words "any cigarette" should be added as follows: "Licenses for the sale, exchange, barter, disposition of, or giving away or keeping for sale of any cigarette,"

Village of Belleville, WI

Village of Belleville, WI
Does a sidewalk cafe require a conditional use permit in addition to the permit provided for in this section? There is no other mention of a conditional use permit requirement in this section or in Chapter 615, Zoning.

(3) Subsection B(4) also includes the following: "more restrictive hours of operation may be established by the Plan Commission as part of the conditional use approval process, if applicable." Does a sidewalk café require a conditional use permit in addition to the permit provided for in this section? There is no other mention of a conditional use permit requirement in this section or in Chapter 615, Zoning.

Decision:

- Delete "as part of the conditional use approval process, if applicable"
- Revise as follows:
- Make no change

Think to the
Local An Approval
Title vs. Denial

✓(4) Subsection B(5) refers to the Building/Zoning Inspector. This title is not used anywhere else in the Village Code.

Decision:

- Revise to Building Inspector
- Revise to Zoning Administrator
- Other:

✓(5) Subsection B(9) provides that "The Village may also impose a forfeiture not to exceed \$200 per violation of this section." Is this penalty still satisfactory?

Decision:

- Revise to refer to the penalty in § 320-22 of this article
- Revise as follows:
- Make no change

✓Q. Section 320-21, Operator's license.

✓(1) Subsection A(1) is missing wording. Pursuant to § 125.32(2), Wis. Stats., on which this subsection is based, we will add the following underlined wording:

For the purpose of this section, any person holding a manager's license under § 125.18, Wis. Stats., or any member of the licensee's or permittee's immediate family who has attained the age of 18 shall be considered the holder of an operator's license. No person, including a member of the licensee's or permittee's immediate family, other than the licensee, permittee or agent may serve fermented malt beverages in any place operated under a Class "A," Class "B" or "Class C" license or permit unless he or she has an operator's license or is at least 18 years of age and is

Ch. 331, Juveniles

Judges Review

Title 11, Ch. 5, of the 1994 Code

A. Section 331-1, Curfew.

- (1) The wording of Subsection E(1) does not make sense. Perhaps the following revision could be made:

The first time a child is detained by a law enforcement officer of the Village, as provided in Subsection D, such child and the parent, guardian or person having legal custody of such child shall be advised as to the provisions of this section and further advised that any violation of this section occurring thereafter by such child or any other child under the care of such parent, guardian or person having legal custody shall result in a penalty being imposed as hereinafter provided.

Decision:

Revise as indicated

Revise as follows: Same as w/ "shall" changed to "may"

- (2) Subsection E(2) establishes the following penalty: "Any minor person under 16 years of age who shall violate this section shall, upon conviction thereof, forfeit not less than \$1 nor more than \$25, together with the costs of prosecution." Is this penalty still satisfactory?

Decision:

Revise as follows: Check w/ Judge

Make no change

Change \$25 to \$50 - range should read "not less than \$1 nor more than \$50"

B. Section 331-6, Possession, manufacture and delivery of drug paraphernalia.

- (1) The definition of "drug paraphernalia" in Subsection A appears to have originally been copied from § 961.571, Wis. Stats., but no longer matches the statute. Subsection B, Determination of drug paraphernalia, also varies from the current wording of § 961.572, Determination, of the statutes. The Village Attorney should be consulted as to whether these variations are acceptable or if the statutory provisions would control. Perhaps Subsections A and B could be replaced with the following:

395-16 B - change "whoever" to "A person who" ✓

Part II: General Legislation

Village to adopt §§ 961.571 through 961.575 by reference by adding these sections to § 395-1 of this chapter.

Decision:

- Add §§ 961.571 to 961.575 to § 395-1; delete § 395-14C
- See revisions on enclosed copy
- Make no change

(3) If Subsection C is retained, we question whether "intent to use" is supposed to read "intent to deliver" in Subsection C(3)(c): "No person may deliver, possess with the primary intent to use, or manufacture with intent to deliver, drug paraphernalia." The corresponding wording in § 961.574(1), Wis. Stats., reads "intent to deliver."

Decision:

- Change "use" to deliver" *didn't keep (c)*
- Make no change

(4) Subsection C(3)(c) applies only to "a controlled substance analog of methamphetamine." Is this wording correct? In § 961.574(1), Wis. Stats., reads "a controlled substance or controlled substance analog." Section 961.574(3), Wis. Stats., reads "methamphetamine or a controlled substance analog of methamphetamine."

didn't keep (c)

Decision:

- Revise as follows:
- Make no change

Judge's Review

395-19 C(1) *X/K*
'18' change to '17'
395-19 C(2)
'17' change to '16'

The following sections in this chapter include forfeiture amounts. These amounts should be reviewed to ensure they are still satisfactory:

- ✓(1) In § 395-19, Destruction of property, Subsection C(2), a forfeiture not to exceed \$50 for violations by minors 12 to 17 years of age.
- (2) In § 395-24, Retail theft, Subsection D: "If the value of the merchandise does not exceed \$2,500, any person violating this section shall forfeit not more than \$200."

Decision:

- Revise as follows: *Ask Judge*
- Make no change

395-22 library material - change "microform" to "microfilm"

General Code

395-22(B) - local librarian believes there is no requirement to have Village attorney send notice delete "and Village Attorney" *Ignore* 61

survey map and shall state in writing any conditions of approval or reasons for rejection, unless the time is extended by agreement with the subdivider."

Decision:

- Change 60 days to 90 days
- Revise as follows:
- Make no change

2) This section requires the certified survey map to be recorded within 30 days of approval. Section 236.34(2), Wis. Stats., requires the certified survey map to be offered for record "within 6 months after the date of the last approval of the map and within 24 months after the first approval of the map."

Decision:

- Revise to match statute
- Revise as follows:
- Make no change

3) Should "certified survey plat" in the second-last sentence be changed to "certified survey map" for consistency with the rest of this chapter?

Decision:

- Change "plat" to "map" as indicated
- Revise as follows:
- Make no change

H. Section 600-23F provides as follows: "Pavement widths for the various street types shall be established by the Village Engineer, approved by the Village Board, and be shown on Table 1 of this chapter." Section 600-30C(4) also references Table 1. The copy we received for this chapter did not include a table designated "Table 1."

Decision:

- Delete references to Table 1
- Add Table 1; see copy enclosed
- Other:

Replace text of 600-23 A
Delete 600-23 F

⊗ Replace text at 600-23 A with following:

Roadways: The subdivider shall be required to provide improved roadways to meet the following minimum criteria for each street classification. The Village of Belleville and Village Engineer may request additional width or pavement structure based on the anticipated use of the roadway. Requests for exceptions to these Standard Specifications shall only be approved by the Public Works Committee.

<u>Street Classification</u>	<u>Minimum R/W Width</u>	<u>Minimum Pavement Width*</u>	<u>Required Min. Pavement Structural Number</u>
4-Lane Divided	100	**	4
4-Lane Not Divided	80	**	4
Collector Streets	70	36	3.5
Local Streets	60	32	2.5
Cul-de-Sacs	60	32	2.5
Alleys	24	16	2.5
Minor	60	32	2.5

← New table 1

- * - Pavement Width is defined from flag of curb to flag of curb where curb exists
- ** - Width to be determined pursuant to DOT requirements

⊗ Delete 600-23 F

- (4) A name which is assigned to a street which is not presently a through street, due to intervening land over which the street extension is planned, shall be continued for the separate portions of the planned through street.
- (5) The following designations shall be used only in the situations indicated:
 - (a) Boulevard. A street with a divided pavement either existing or planned. If the divided pavement ends, but the street continues, the same street name and suffix shall continue.
 - (b) Lane. A street having a maximum length of 500 feet, serving a maximum of 10 single-family dwellings.
 - (c) Circle. A cul-de-sac of nine lots or more.
 - (d) Court. A cul-de-sac of eight lots or fewer.
 - (e) Parkway. A street abutting park or greenway or creek.
- (6) The maximum number of street names at one intersection shall be three.
- (7) Street names shall be assigned so that no two intersections have the same exact street names.
- (8) The name of any projection of a street shall remain unchanged even if the projection terminates in a cul-de-sac.
- (9) The changing of a street name that does not duplicate an existing street name shall only be approved where such change will eliminate conflicts with other provisions of this section.
- (10) Service roads and highways served by them shall have the same street name and designation.
- (11) Approval of street names on a preliminary plat will not reserve the names nor shall the Village be required to accept such names at the time of final platting.
- (12) A minimum number of letters is desirable in a street name. The maximum number of letters, not including the prefix or suffix, shall not exceed 12.

§ 600-23. Street design standards. *Replace with new table & text*

A. ~~Minimum right of way. The minimum right of way of all proposed streets and alleys shall be of the width specified by an applicable master plan, official map or neighborhood development study, or if no width is specified therein, the minimum width shall be as follows. [Amended by Ord. No. 1996-08-01]~~

Type of Street	Right of Way Width (feet)
Arterial streets	

Type of Street	Right-of-Way Width (feet)
4-lane divided	100
Not divided	80
Collector streets	70
Local streets	60
Cul-de-sac	60
Alleys	24
Minor	60

B. Cul-de-sac streets.

- (1) Cul-de-sac shall not exceed 750 feet in length from the center line of the intersecting street to the center of the cul-de-sac circle.
- (2) Cul-de-sac shall terminate in a circular turnaround having a right-of-way diameter of 120 feet. The reverse curve on a cul-de-sac shall have a fifty-foot minimum radius when the bulb is centered on the street and a one-hundred-foot minimum radius when the bulb is offset.

C. Street grades.

- (1) Unless necessitated by exceptional topography and subject to the approval of the Village Public Works Committee, the maximum street grades shall not exceed the following: [Amended by Ord. No. 1996-08-01]

Street Classification	Maximum Grade
Arterial streets	6%
Collector streets	8%
Local streets	10%
Cul-de-sac	10%
Alleys	8%
Minor	10%

- (2) The grade of any street shall in no case be less than 0.50%.
- (3) All changes in street grades shall provide safe stopping sight distances as conditions require.
- (4) Street grades shall be set at elevations which, to the greatest extent possible, maintain the existing topography, therefore eliminating the need for removal of natural ground cover for areas outside the street right of way.

D. Radii of curvature.

- (1) When a continuous street center line deflects at any one point by more than 5°, a horizontal curve shall be introduced having a radius of curvature on said center line of not less than the following:
- (a) Arterial streets and highways: 450 feet.
 - (b) Collector streets: 250 feet.
 - (c) Local streets: 150 feet.
 - (d) Minor streets: 150 feet. [Amended by Ord. No. 1996-08-01]
- (2) A tangent at least 150 feet in length shall be provided between reverse curves on arterial and collector streets, and 100 feet in length between reverse curves on local streets.
- E. Half streets. Where an existing dedicated or platted half street is adjacent to the tract being subdivided, the other half of the street shall be dedicated by the subdivider. Streets less than full width on the boundary of the tract being subdivided shall not be less than a width sufficient to produce a full pavement, a full terrace on the plat side, and a reserve strip as determined by the Plan Commission.
- ~~F.~~ F. Pavement widths. Pavement widths for the various street types shall be established by the Village Engineer, approved by the Village Board, and be shown on Table 1 of this chapter.

§ 600-24. Street intersections.

- A. Streets shall intersect each other at as nearly right angles as topography and other limiting factors of good design permit.
- B. The number of streets converging at one intersection shall not be more than two.
- C. The number of intersections along major streets and highways shall be held to a minimum. Wherever practicable, the distance between such intersections shall not be less than 1,000 feet from center line to center line.
- D. Local streets shall not necessarily continue across arterial or collector streets; but if the center lines of such minor streets approach the major streets from opposite sides within 300 feet of each other, measured along the center line of the arterial or collector street, then the location shall be so adjusted that the adjoinment across the major or collector street is continuous, and a jog is avoided.
- E. Whenever practicable, the distance between local street intersections shall be no less than 250 feet measured from center line to center line.

§ 600-25. Blocks.

- A. The widths, lengths, and shapes of blocks shall be suited to the planned use of the land, zoning requirements, need for convenient access, control and safety of street traffic, and the limitations and opportunities of topography.
- B. Blocks in residential areas as measured in the long dimension from street center line to street center line shall not be less than 600 feet nor more than 1,200 feet in length unless otherwise dictated by exceptional topography or other limiting design factors.
- C. Pedestrian ways of not less than 10 feet in width may be required near the center and entirely across any block over 900 feet in length where deemed essential by the Plan Commission to provide adequate pedestrian circulation or access to schools, shopping centers, churches, or transportation facilities.
- D. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic. Width of lots or parcels reserved or laid out for commercial or industrial use shall be adequate to provide for off-street service and parking required by the use contemplated and the area zoning restrictions for such use.
- E. All utility lines for electric power and telephone service shall be placed underground within easements along rear lot lines.

§ 600-26. Lots.

- A. The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the buildings contemplated.
- B. Double frontage and reverse frontage lots shall be prohibited except where necessary to provide separation of residential development from through traffic or to overcome specific disadvantages of topography and lake orientation.
- C. Lot sizes shall conform to the area and width requirements prescribed for the zoning district in which the land is located.
- D. Every lot shall front or abut on a public street for a distance of at least 50 feet, or in the case of culs-de-sac, 40 feet. The minimum lot width measured at the building setback line shall be 75 feet. (This applies in lieu of less stringent standard.)
- E. Side lot lines shall, as nearly as practicable, be at right angles to straight streets or radial to curved street lines.
- F. Lots shall follow municipal boundary lines rather than cross them whenever practicable.
- G. Corner lots shall have sufficient width to permit adequate building setbacks from side streets.

(2) Section 615-44B(10) establishes the following requirements for political signs in residential districts: "Political signs may be posted 60 days before an election and must be removed with 10 days after said election. Said sign may be a maximum of eight square feet." Section 12.04, Communication of political messages, Wis. Stats., provides that "no county or municipality may regulate the size, shape, placement or content of any sign containing a political message placed upon residential property during an election campaign period." The statute includes a definition of "election campaign period" and provides for certain circumstances where local regulation is authorized.

Decision:



- See revisions on enclosed copy
- Make no change

→ Delete whole section regulated by state stats.
Note: see also 10-1-90 + 10-1-107 (old code)

(3) "Wall sign" is defined in § 615-42 as follows: "Any sign attached to, erected on or painted on the wall of a building or structure and projecting not more than 16 inches from such wall." Section 615-45A(1) then provides as follows: "Wall signs placed against the exterior walls of buildings shall not extend more than six inches out from a building's wall surface." Is this correct?

Decision:

- Revise as follows:
- Make no change

Change 615-45 A(1) to read "16 inches"

(4) Section 615-44B(3) provides that "Nameplate signs not to exceed eight square feet located on the premises" in residential districts do not require a sign permit. Section 615-44B(9) also authorizes the following: "An approved professional sign shall be a sign not exceeding eight square feet in area, stating only the name and business or profession of the home occupant or the character or the use of the premises on which the sign is maintained." However, § 615-46A limits nameplate signs in residential districts to three square feet: "There shall be not more than one nameplate, not exceeding three square feet in area, for each dwelling unit, indicating the name or address of the occupant or a permitted home occupation."

Decision:

- Change "three square feet" to "eight square feet"
- Change "eight square feet" to "three square feet"
- Make no change

April Little

From: Elisabeth H. Shea [eshea@staffordlaw.com]
Sent: Wednesday, January 11, 2012 3:33 PM
To: April Little
Cc: Matthew Dregne
Subject: FW: couple questions about your questions

Ref 615-44B(10):

Hi April,
As we discussed, the statute only allows the Village to regulate the size, shape, etc. of a political sign on residential property if necessary to ensure traffic or pedestrian safety. I found two existing ordinances under which the Village regulates all signs (including political signs) based on traffic or pedestrian safety:

Sec. 10-1-90 Traffic Visibility.

(a) On a corner lot in all zoning districts, no fence, wall, hedge, planting or structure shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision between a height of two and one-half (2-1/2) feet and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining the points along said street lines twenty-five (25) feet from the point of intersection. (See Figure 5.)

(b) In the case of arterial streets intersecting with other arterial streets or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to fifty (50) feet.

Sec. 10-1-107 Prohibited Signs.

(a) Traffic Interference. Signs shall not resemble, imitate or approximate the shape, size, form or color of railroad or traffic signs or devices. Signs, canopies and awnings shall not obstruct or interfere with the effectiveness of railroad or traffic signs, signals or devices or the safe flow of traffic. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign, awning or canopy shall be placed so as to obstruct or interfere with traffic visibility.



Therefore, the current language related to political signs in the zoning ordinance can be removed and no additional ordinance is needed.

Let me know if you have additional questions.

Lis

From: Matthew Dregne
Sent: Wednesday, January 11, 2012 2:20 PM
To: 'April Little'
Cc: Elisabeth H. Shea
Subject: RE: couple questions about your questions

Hi April,

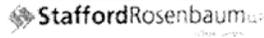
I briefed Lis on our discussion of this (while I was driving home last week). Lis will be contacting you to follow up on the remaining issue, and to comment on the question you posed today about the meeting notice language. I will be leaving tomorrow morning to attend a memorial in Florida, and will return to the office Wednesday next week. I'll check emails and voice mail while I'm out, and Lis is here for you too.

Thanks.

Matthew P. Dregne
Stafford Rosenbaum LLP

1/11/2012

222 West Washington Avenue, Suite 900
P.O. Box 1784
Madison, Wisconsin 53701-1784
Direct: 608.259.2618
Fax: 608.259.2600
MDREGNE@staffordlaw.com | [profile](#) | [vCard](#) | www.staffordlaw.com



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From: April Little [mailto:alittle@villageofbelleville.com]
Sent: Friday, January 06, 2012 10:38 AM
To: Matthew Dregne
Subject: RE: couple questions about your questions

Hi Matt – Could use a little help making a few decisions on how to edit our new code book.

1. the issue of my new title. Here is what they are suggesting; I think it would work. I am Administrator/Clerk/Treasurer now, but at some time the position could be split in the future and it's referenced in 280 spots!

We could use "Clerk-Treasurer" throughout the Code and add the following wording to Section 121-3, Village Clerk-Treasurer: "The duties of the Village Clerk-Treasurer shall be performed by the Village Administrator. References in the Code to the Clerk-Treasurer shall be construed to refer to the Village official appointed to serve as Administrator/Clerk/Treasurer." Let me know if you think that will work.

2. Political Signs. This is what our ordinance says:

Political signs may be posted 60 days before an election and must be removed within 10 days after said election. Said sign shall be a maximum of eight square feet.

The codifiers are referring to Sec. 12.04 of the Wis. Stats., which says this (see highlighted):

12.04 Communication of political messages.

12.04(1) (1)In this section:

12.04(1)(a) (a) "Election campaign period" means:

12.04(1)(a)1. 1. In the case of an election for office, the period beginning on the first day for circulation of nomination papers by candidates, or the first day on which candidates would circulate nomination papers were papers to be required, and ending on the day of the election.

12.04(1)(a)2. 2. In the case of a referendum, the period beginning on the day on which the question to be voted upon is submitted to the electorate and ending on the day on which the referendum is held.

12.04(1)(b) (b) "Political message" means a message intended for a political purpose or a message which pertains to an issue of public policy of possible concern to the electorate, but does not include a message intended solely for a commercial purpose.

12.04(1)(c) (c) "Residential property" means property occupied or suitable to be occupied for residential purposes and property abutting that property for which the owner or renter is responsible for the maintenance or care. If property is utilized for both residential and nonresidential purposes, "residential property" means only the portion of the property occupied or suitable to be occupied for residential purposes.

12.04(2) (2)Except as provided in ss. 12.03 or 12.035 or as restricted under sub. (4), any individual may

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place a sign containing a political message upon residential property owned or occupied by that individual during an election campaign period.

12.04(3) (3) Except as provided in sub. (4), no county or municipality may regulate the size, shape, placement or content of any sign containing a political message placed upon residential property during an election campaign period.

12.04(4) (4)

12.04(4)(a) (a) A county or municipality may regulate the size, shape or placement of any sign if such regulation is necessary to ensure traffic or pedestrian safety. A county or municipality may regulate the size, shape or placement of any sign having an electrical, mechanical or audio auxiliary.

12.04(4)(b) (b) In addition to regulation under par. (a), a 1st, 2nd or 3rd class city, or a town, may regulate the size, shape or placement of a sign exceeding 11 square feet in area. This paragraph does not apply to a sign which is affixed to a permanent structure and does not extend beyond the perimeter of the structure, if the sign does not obstruct a window, door, fire escape, ventilation shaft or other area which is required by an applicable building code to remain unobstructed.

12.04(5) (5)

12.04(5)(a) (a) The renter of residential property may exercise the same right as the owner to place a sign upon the property under sub. (2) in any area of the property occupied exclusively by the renter. The terms of a lease or other agreement under which residential property is occupied shall control in determining whether property is occupied exclusively by a renter.

12.04(5)(b) (b) The owner of residential property may exercise the right granted under sub. (2) in any portion of the property not occupied exclusively by a renter.

12.04(6) (6) This section does not apply to signs prohibited from being erected under s. 84.30.

My Question: Obviously the second sentence must go, but I'm not sure how to edit the first part or if we should even have this section.

That's it! Thanks. Next week for an answer

April

From: Deb Tuszynski [mailto:dtuszynski@generalcode.com]
Sent: Friday, January 06, 2012 7:57 AM
To: April Little
Subject: RE: couple questions about your questions

April,

I suggest having the section on political signs reviewed by your Village Attorney, as your question requires an interpretation of the statute.

We could use "Clerk-Treasurer" throughout the Code and add the following wording to Section 121-3, Village Clerk-Treasurer: "The duties of the Village Clerk-Treasurer shall be performed by the Village Administrator. References in the Code to the Clerk-Treasurer shall be construed to refer to the Village official appointed to serve as Administrator/Clerk/Treasurer." Let me know if you think that will work.

I can certainly move Section 615-16C and make it a separate section.

Let me know if you need anything else.

Deb Tuszynski
Editor
General Code
800-836-8834

1/11/2012

-----Original Message-----

From: April Little [mailto:alittle@villageofbelleville.com]

Sent: Thursday, January 05, 2012 3:21 PM

To: Deb Tuszynski

Subject: couple questions about your questions

Hi Deb –

Regarding question K, Items I2: if state law allows the Village to regulate signs in the case of safety only and nothing further, should the whole section be removed?

Regarding question C: maybe the titles should be Administrator/Clerk/Treasurer throughout? My thought is if the position should be split in the future, the Administrator might do some tasks, and the clerk-treasurer others? It would be hard to go through 280 and figure out which is which. Other alternative is to go with clerk-treasurer throughout. I think our ordinance essentially allows one person to hold all three titles.

No changes to sections L and M. These are correct (ordinance 2011-09-01 was actually introduced in September, then had to go a long waiting period until adoption – hence the strange numbering).

Regarding 615-16C Conservancy: could you please make this a separate section, like the PUD section?

We should be able to make quick work of the questions except chapter 272 – waiting (forever) on the fire department for the changes!

April Little
Village Administrator/Clerk/Treasurer
Village of Belleville
24 W. Main Street, PO Box 79
Belleville, WI 53508
(608) 424-1655
FAX (608) 424-3423
Email: alittle@villageofbelleville.com

1/11/2012

§ 160-9. Meetings.

A. Regular meetings. Regular meetings of the Village Board shall be held on the first Monday of each calendar month at 7:00 p.m., except when the day so designated falls on a legal holiday, in which case the regular meeting shall be held on the following non-holiday day. When the Village Board designates a date and time for ~~the regular Village Board~~ a meeting, notice thereof shall be ~~posted at the Belleville Village Hall and in the official Village newspaper prior to such rescheduled meeting date given to the public, members of the news media who have filed a written request to receive such notices, and to the official newspaper. Notice shall be given to the public by posting the notice in one or more places likely to be seen by the general public and as required by state statutes.~~ All meetings of the Village Board shall be held at the Belleville Village Hall, unless specified otherwise. ~~in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least three hours prior to any meeting.~~

B. Annual organizational meeting. The Village Board shall hold an annual organizational meeting no sooner than the third Tuesday of April or no later than the first Monday of May following the spring election for the purpose of organization.

C. Village Board minutes. The Village Clerk-Treasurer shall keep a record of all Village Board proceedings and cause the proceedings to be published.

From Wis. Dept. of Justice

violation of the open meetings law was presumed. Dieck Correspondence, September 12, 2007. The members of the governmental body may overcome the presumption by proving that they did not discuss any subject that was within the realm of the body's authority. *Id.*

Where a person alleges that a gathering of less than one-half the members of a governmental body was held in violation of the open meetings law, that person has the burden of proving that the gathering constituted a "meeting" subject to the law. *Showers*, 135 Wis. 2d at 102. That burden may be satisfied by proving: (1) that the members gathered to conduct governmental business and (2) that there was a sufficient number of members present to determine the body's course of action.

Again, it is important to remember that the overriding policy of the open meetings law is to ensure public access to information about governmental affairs. Under the rule of liberally construing the law to ensure this purpose, any doubts as to whether a particular gathering constitutes a "meeting" subject to the open meetings law should be resolved in favor of complying with the provisions of the law.

III. WHAT IS REQUIRED IF THE OPEN MEETINGS LAW APPLIES?

The two most basic requirements of the open meetings law are that a governmental body:

- (1) give advance public notice of each of its meetings, and
- (2) conduct all of its business in open session, unless an exemption to the open session requirement applies.

Wis. Stat. § 19.83.

A. Notice Requirements.

Wisconsin Stat. § 19.84, which sets forth the public notice requirements, specifies when, how, and to whom notice must be given, as well as what information a notice must contain.

1. To whom and how notice must be given.

The chief presiding officer of a governmental body, or the officer's designee, must give notice of each meeting of the body to: (1) the public; (2) any members of the news media who have submitted a written request for notice; and (3) the official newspaper designated pursuant to state statute or, if none exists, a news medium likely to give notice in the area. Wis. Stat. § 19.84(1).

The chief presiding officer may give notice of a meeting to the public by posting the notice in one or more places likely to be seen by the general public. 66 Op. Att'y Gen. 93, 95. As a general rule, the Attorney General has advised posting notices at three different locations within the jurisdiction that the governmental body serves. *Id.* Alternatively, the chief presiding officer may give notice to the public by paid publication in a news medium likely to give notice in the jurisdictional area the body serves. 63 Op. Att'y Gen. 509, 510-11 (1974). If the presiding officer gives notice in this manner, he or she must ensure that the notice is actually published. Meeting notices may also be posted at a governmental body's website as a supplement to other public notices, but web posting should not be used as a substitute for other methods of notice. Peck Correspondence, April 17, 2006. Nothing in the open meetings law prevents a governmental body from determining that multiple notice methods are necessary to provide adequate public notice of the body's meetings. Skindrud Correspondence, March 12, 2009. If a meeting notice is posted on a governmental body's website, amendments to the notice should also be posted. Eckert Correspondence, July 25, 2007.

The chief presiding officer must also give notice of each meeting to members of the news media who have submitted a written request for notice. *Lawton*, 278 Wis. 2d 388, ¶ 7. Although this notice may be given in writing or by telephone, 65 Op. Att’y Gen. Preface, v-vi (1976), it is preferable to give notice in writing to help ensure accuracy and so that a record of the notice exists. 65 Op. Att’y Gen. 250, 251 (1976). Governmental bodies cannot charge the news media for providing statutorily required notices of public meetings. 77 Op. Att’y Gen. 312, 313 (1988).

In addition, the chief presiding officer must give notice to the officially designated newspaper or, if none exists, to a news medium likely to give notice in the area. *Lawton*, 278 Wis. 2d 388, ¶ 7. The governmental body is not required to pay for and the newspaper is not required to publish such notice. 66 Op. Att’y Gen. 230, 231 (1977). Note, however, that the requirement to provide notice to the officially designated newspaper is distinct from the requirement to provide notice to the public. If the chief presiding officer chooses to provide notice to the public by paid publication in a news medium, the officer must ensure that the notice is in fact published.

When a specific statute prescribes the type of meeting notice a governmental body must give, the body must comply with the requirements of that statute as well as the notice requirements of the open meetings law. Wis. Stat. § 19.84(1)(a). However, violations of those other statutory requirements are not redressable under the open meetings law. For example, the open meetings law is not implicated by a municipality’s alleged failure to comply with the public notice requirements of Wis. Stat. ch. 985 when providing published notice of public hearings on proposed tax incremental financing districts. *See Boyle Correspondence*, May 4, 2005. Where a class 1 notice under Wis. Stat. ch. 985 has been published, however, the public notice requirement of the open meetings law is also thereby satisfied. *Stalle Correspondence*, April 10, 2008.

2. Contents of notice.

a. In general.

Every public notice of a meeting must give the “time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereof.” Wis. Stat. § 19.84(2). The chief presiding officer of the governmental body is responsible for providing notice, and when he or she is aware of matters which may come before the body, those matters must be included in the meeting notice. 66 Op. Att’y Gen. 68, 70 (1977). The Attorney General’s Office has advised that a chief presiding officer may not avoid liability for a legally deficient meeting notice by assigning to a non-member of the body the responsibility to create and provide a notice that complies with Wis. Stat. § 19.84(2). *Schuh Correspondence*, October 17, 2001.

A frequently recurring question is how specific a subject-matter description in a meeting notice must be. Prior to June 13, 2007, this question was governed by the “bright-line” rule articulated in *State ex rel. H.D. Ent. v. City of Stoughton*, 230 Wis. 2d 480, 602 N.W.2d 72 (Ct. App. 1999). Under that standard, a meeting notice adequately described a subject if it identified “the general topic of items to be discussed” and the simple heading “licenses,” without more, was found sufficient to apprise the public that a city council would reconsider a previous decision to deny a liquor license to a particular local grocery store. *Id.* at 486-87.

On June 13, 2007, the Wisconsin Supreme Court overruled *H.D. Enterprises* and announced a new standard to be applied prospectively to all meeting notices issued after that date. *State ex rel. Buswell v. Tomah Area Sch. Dist.*, 2007 WI 71, 301 Wis. 2d 178, 732 N.W.2d 804. In *Buswell*, the Court determined that “the plain meaning of Wis. Stat. § 19.84(2) sets forth a reasonableness standard, and that such a standard strikes the proper balance contemplated in Wis. Stat. §§ 19.81(1) and (4) between the public’s right to information and the government’s need to efficiently conduct its business.” *Id.*, ¶ 3. This reasonableness standard “requires a case-specific analysis” and “whether notice is sufficiently specific will depend upon what is reasonable under the circumstances.” *Id.*, ¶ 22. In making that determination, the factors to be considered include: “[1] the burden of providing more detailed notice, [2] whether the subject is of particular public interest, and [3] whether it involves non-routine action that the public would be unlikely to anticipate.” *Id.*, ¶ 28 (bracketed references added).

FOCUS

brief 12.23.2011 • No. 26

State budgets in 2012: How do we stack up?

Wisconsin enacted its state budget for fiscal year 2012 last summer. But a recent national report offers the first opportunity to compare our general fund budget with those of other states. Although we slowed our annual spending growth rates from 5.8% in 2011 to 4.4% in 2012, they still exceeded the 50-state averages of 4.0% and 2.9%, respectively. Continuing the practice of many years, Wisconsin's budget reserves are among the smallest of the 50 states.

Capitol notes

■ A recent legislative audit of the state's Medicaid (MA) program found total expenditures rose from \$5.0 billion in 2006-07 to \$7.5 billion in 2010-11. The majority (87%) of the increase was funded with federal dollars. The audit also revealed the Dept. of Health Services has not been including all MA spending in the program's budget.

■ Adjusted state general fund (GPR) tax collections for November are 7.6% higher this year than last. To date, collections for the first five months of the 2012 fiscal year are 4.6% above 2011.

■ Public retirement funds managed by the state's Investment Board earned small but positive returns for the first 10 months of calendar 2012. The Core Trust Fund had a return of 2.8%. The fund's five-year return was 3.2%.

■ Earlier this month, Colorado voters defeated 65%-35% Proposition 103, which would have raised state income and sales taxes to fund schools.

■ WISTAX's tax guide, TAXES2012, is ready. To order, visit www.wistax.org.

Wisconsin and most other states enacted 2012 general fund budgets last spring or summer. Now that laggards, such as California, have completed their work, it is possible to compare how states confronted their fiscal problems, with the help of a joint report from national groups serving governors and state budget officers (NASBO).



State spending changes

■ *National context.* The clearest indication that state budgets remain stressed is to compare general fund spending for 2012 with that of earlier years. After dropping 5.7% in fiscal 2010, expenditures nationwide increased an average of 4.0% in 2011 and 2.9% in 2012 (see table below, right).

Increases in Wisconsin exceeded U.S. averages. In 2011, the state raised general fund spending 5.8%, more than 36 states and the national average (4.0%). In 2012, it scaled back the increase to 4.4%. But that still was above the national average (2.9%), even though 25 states hiked their budgets more than the Badger State. On the other hand, some of the largest states (e.g., CA, FL, MI, PA) actually cut budgets.

■ *Region.* Among neighboring states, Illinois (12.6%), Iowa (13.5%), and Minnesota (7.7%) all exceeded Wisconsin's budget growth in 2012, while Michigan (-4.2%) did not. Part of the reason for the large changes in 2012 had to do with smaller changes in 2011. Illinois (3.1%) and Iowa (-0.3%), for example, trailed Wisconsin (5.8%)

that year. Still, Michigan (12.0%) and Minnesota (6.2%) outpaced us.

■ *Approaches.* States used many ways to shrink 2012 budget gaps. The most common were targeted cuts (29 states), reductions in state aids to local governments (18), across-the-board cuts and employee layoffs (both 16), and agency reorganizations and state employee benefit reductions (both 14). Wisconsin reported using all of these, except layoffs. That said, this state was one of 33 in 2010-11 and 28 in 2011-12 to report eliminating state employee positions.

■ *Program specifics.* By program area, postsecondary education was the area most often affected in fiscal 2012: 36 states either cut (29 states) or froze (7) expenditures. Public assistance was also disproportionately impacted, with 18 states making cuts and eight "zeroing out" increases. K-12 education was the third major area to face retrenchment, with 13 states reducing and seven holding the line on expenditures. Wisconsin scaled back spending in all three of these areas.

State Gen'l Fund Spending Changes Fiscal Years 2010-11 and 2011-12

Spdg Chg.	2011 Actual	2012 Budget
<i>Number of States by Spending Chg.</i>		
Under 0%	12	7
0.0% - 4.9%	23	19 WI
5.0% - 9.9%	12 WI	17
10% or more	3	7
<i>Pct. Chg. In Gen'l Fund Spending</i>		
Illinois	3.1	12.6
Iowa	-0.3	13.5
Michigan	12.0	-4.2
Minnesota	6.2	7.7
Wisconsin	5.8	4.4
U.S. Avg.	4.0	2.9

The only area to see widespread expenditure growth was medical assistance (MA, or Medicaid) for the poor and disabled. Only four states cut MA, while another eight imposed freezes. The remaining 38 states, including Wisconsin, raised general-fund spending, often by hefty amounts. For all 50 states combined, MA spending climbed a net \$19.4 billion (b), an amount so large that it more than accounted for all state budget growth from 2011 to 2012.

Revenue changes

The recent recession was "so severe" that total general fund revenues states expect to collect in 2012 remain "below their 2008 level," according to the Rockefeller Institute in Albany. Fiscal 2011 revenues were up 6.4% from the prior year, but collections are projected to rise only 1.6% in 2012.

Contributing to recent growth are tax increases that totalled \$23.9b and \$6.2b in fiscal 2010 and 2011, respectively. Wisconsin increased tobacco, income, and corporate income taxes as part of its 2009-11 state budget.

States began to reverse course in 2012, but for the most part, tax cuts were small, averaging only 0.6% of collections. There were 17 states, including Wisconsin, that reported tax or fee cuts and 13 that reported increases. The only major tax changes were a \$1.9b

increase in Connecticut and significant cuts in Michigan (-\$0.5b), North Carolina (-\$1.5b), and Ohio (-\$0.4b). The two receiving the most attention were individual (three states raising vs. 15 lowering) and corporate (four vs. 14) income taxes. Wisconsin also cut these two taxes by small amounts in 2012.

Balanced budgets?

In its recent report, NASBO observed that "maintaining adequate balance levels helps state to mitigate disruptions to state services during an economic downturn." This is sage advice that Wisconsin

State Surpluses as % Gen. Fund Spdg
Gen'l + Rainy Day Fund Balances (Source: NASBO)

State	2010 Actual	2011 Actual	2012 Budget
AL	1.0	0.5 ◀	0.5 ◀
AZ	-0.1 ◀	0.0 ◀	0.2 ◀
AR	0.0 ◀	0.0 ◀	0.0 ◀
CA	-13.2 ◀	-3.5 ◀	2.1
CT	2.8	1.3	0.4 ◀
ID	2.4	2.9	0.1 ◀
KS	-0.5 ◀	0.6	0.1 ◀
ME	0.0 ◀	5.7	1.5
NH	6.0	3.4	0.3 ◀
OR	0.7	1.1	2.6
PA	-1.1 ◀	3.8	2.6
WA	-2.5 ◀	-0.6 ◀	-1.7 ◀
IL	1.8	5.9	3.2
IA	21.4	25.7	24.5
MI	2.5	3.0	6.3
MN	3.0	4.8	2.8
WI	0.6	0.6	0.6
US	8.6	10.1	10.7

Note: Arrows indicate surpluses smaller than Wisconsin's.

governors and lawmakers, present and past, have not followed.

State budget surpluses take two forms: first, the general fund balance; and, second, savings in a long-term "rainy day" fund reserved for prolonged recession. The best way to compare surpluses combines these two and measures the total as a share of general fund spending. For example, in fiscal 2010, the total of all state general fund reserves was \$32.5b, or 5.2% of expenditures. Adding \$21.0b (3.4%) in rainy-day fund balances means that states had reserves equal to 8.6% of spending. For 2011 and 2012, the corresponding percentages were 10.1% and 10.7% (see table, left).

During this period, Wisconsin had one of the smallest general fund balances, at 0.6% of spending, and never budgeted a rainy-day fund deposit. As the table shows, total combined surpluses here have not exceeded 0.6% of spending in recent years, while national averages have grown from 8.6% in 2010 to 10.7% in 2012.

In fact, for all three years shown, only Arizona, Arkansas, and Washington (shown in bold) had smaller balances as a share of spending than Wisconsin. The surrounding states all fared better, with surpluses ranging from 2.8% (MN) to 24.5% (IA) of general fund expenditures. Building reserves for the long term is a task Wisconsin has ignored for many years.

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