

MINUTES OF SPECIAL VILLAGE OF BELLEVILLE BOARD MEETING
HELD MONDAY, JULY 18, 2011 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: Ben O’Brien, Howard Ward, Jim Schmitz, Gary Ziegler, Deb Kazmar and Bonnie Wilcox

Also present: Village Attorney Matt Dregne, Daniel Rung, Terry Kringle, Dave Eustice, Jim Root, Herb Blaser, Tyler Kattre, Michael Parkin, Jerry Jansen and Anna Schramke–Green County Development Corp., Brad Peterson-Recorder and Jean Tretow

3. The Clerk stated that the meeting has been noticed as required by law.
4. **Visitors Who Would Like to Speak Now** – Anna Schramke, Green County Development Corporation (GCDC) gave an update on the GCDC’s status. Goal is to improve the economic well being of Green County communities. They have gained 501c3 status to help apply for grants. They are working on marketing, job banks, names databases and other development tools. The focus is working on high unemployment and blighted areas. Belleville contributes about 3.3 percent of their budget. Funding goal for 2011 is raising \$60,000 in private earned income; they also receive funds from the county and other municipalities. An electronic “Growing in Green” newsletter for marketing Green County will be forthcoming in August, focusing on business expansion, feature property sites, business profiles, and general demographics. Also working on a branding project, entrepreneurship and leadership training, CEO breakfasts, and a regional business retention effort.
5. Visitors Who Would Like to Speak On an Agenda Item - none
6. **Consent Agenda: Trustee Kazmar made a motion to approve the consent agenda as presented; seconded by Trustee Wilcox. Motion carried.**
 - a. Approval of Minutes (July 5, 2011)
 - b. Approval of Bills for July 2011 to Date
 - c. June 2011 Treasurer’s Report / Second Quarter 2011 Financial Reports
 - d. Approval of Operator’s License for Connie K. Mullen (J&M Bar)
 - e. Approval of Operator’s License for Scott D. Francois (Town Mart)
 - f. Approval of Operator’s License for Debra L. Glotfelty
 - g. Approval of Permit Application for Street Closing August 12-14, for Remy Road from Hwy 92 to Enterprise Drive
 - h. Approval of Permit Application for Street Closings for South Vine Street from West Main to West Pearl; and West Pearl Street from South Vine to Hwy 92 (August 14 only)
 - i. Approval of Temporary “Class B”/”Class “B” Retailers License for Community Club Community Picnic August 11-14
7. Committee Reports – No discussion.
8. President’s Report – Harvester is coming for the lake this week.

9. Administrator/Clerk/Treasurer's Report – No report.

10. **Unfinished Business:**

a. Lake Restoration / West Lake Dredging Projects -

- a. **Purchase of Aquatic Vegetation** – *Trustee Wilcox made a motion to purchase the white water lilies and spatterdock up to \$2000 under fishery restoration budget line; seconded by Trustee Kazmar. Motion carried.* It was clarified that fish stocking is expected to cost less than budgeted, and these plants will help with fish habitat.
- b. **Advance Construction Contract Amendment for Additional Utility Work** – Utility lines would be installed to clear the lake project construction zone; this would allow for water and sewer line extension at a future time without ripping up asphalt. *Trustee Wilcox made a motion to approve the Advance Construction contract amendment for \$17,935; seconded by Trustee O'Brien. Motion carried.*

11. **New Business:**

- a. **Consideration of Request to Release Special Assessment Lien for Lot 33 in Bell West, Including Valuation of Remaining Lots, and Reallocation to Remaining Parcels (Introduction)** – Attorney Matt Dregne was present. Bell West has 36 lots; some in a TIF district and some not. The issue is that lot 33 has been sold for the UW Clinic. They are requesting that the special assessment against that lot be released. With respect to lots **not** in the TIF, the only way to release the liens is for them to be paid in full. In the TIF area, however, where tax increment is generated it will pay for expenses.

Bell West is looking to release a special assessment lien to sell the lot while allowing the use of tax increment to pay what was assessed. The TIF agreements say that the lien may be released if total estimated fair market value of the other lots is greater than 150 percent. The way to establish the value is the problem. All lots are assessed at agricultural value now, which is very low. However, the land is now served by utilities and is platted. The law allows for agricultural assessment even if lots could be sold for much higher value. Bell West would like the TIF agreement to be modified to establish assessed value or a different methodology such as an appraisal.

The concern is that the property is the Village's collateral, similar to a mortgage. The developer is asking to release the lien of \$179,101.50 on lot 33, and reallocate the amounts to the other remaining lots. The other lots would provide sufficient collateral. If not sufficient value, they would put in the remaining amount in an escrow account. The other way to release liens is for tax increment payments to be high enough to cover costs, which they are not.

One methodology is to look at their listing price reduced by 10 percent, as suggested by the Village assessor. A suggested reallocation methodology chart was discussed. Decision for the board is whether to direct Village attorney to prepare an amendment to TIF agreement to determine value and whether to include an amendment to allow them to escrow funds for collateral. Additional legal time will be needed. A cost recovery agreement was provided to charge back preparation costs to the developer. Dregne felt more comfortable getting an appraised price. Rick Francois asked if the appraisals could last some time in case more lots need to be released soon.

Escrows would allow the possibility for paying from tax increment, rather than direct payment. Appraisal for assessment roll purposes is based more on what is happening in the ground.

- i. **Review of Appraisals** – *Trustee Ziegler made a motion to direct legal counsel to prepare an amended TIF agreement regarding special assessment, contingent on approval and execution of cost recovery agreement; seconded by Trustee Schmitz. The amendment would be reviewed in August. Motion carried with Trustee Wilcox abstaining.*

The board directed legal counsel and April Little to work with THEA (Bell West) to obtain an acceptable appraiser. The board asked Dregne to draft the amendment to allow them to consider in the future whether they feel a new appraisal is needed or whether there is comfort with the previous one, in view of ever-changing market conditions. It is important that the value is fair.

- ii. **Cost Recovery Agreement with Bell West** – *Trustee Ziegler made a motion to approve the cost recovery agreement with Thea Group Inc.; seconded by Trustee O'Brien. Motion carried with Trustee Wilcox abstaining.*

- b. **Consideration of Amending Installment Payments Schedules for Bell West and Baker's Woods Developments (TIF 3 and Non-TIF) (Introduction)** – Dregne: this item will come before Village Board for a public hearing on August 15. It would be helpful to provide an amended installment schedule to provide more exact payment dates for developers. For example, if a payment was not received by November 1, 2011, the payment will go on to the tax roll for payment in January 2012. They are working on putting together a lot-by-lot schedule. The intent is to come back with a resolution to revise the schedule.

- c. **Appointment to Fill Trustee Vacancy / Committee Appointment Recommendations** – Present were Daniel Rung and Tyler Kattre: Rung relocated to Belleville at the end of April and works in the Head Start Finance Department. His interest is to learn about the community and share his enthusiasm. He grew up in Madison and has committee experience through work.

Kattre – He is from Abbotsford and has a degree in finance. Belleville resident for four years. He'd like to get involved in the community. He has government experience, but more on a federal level.

A paper poll was done of board members, and Kattre received the most votes. *Trustee Ziegler made a motion to approve Tyler Kattre to fill vacancy until 2013; seconded by Trustee Kazmar. Motion carried.*

Trustee Ziegler made a motion to approve the appointment of Tyler Kattre to Public Works Committee, Plan Commission, and Community Development Authority; seconded by Trustee Wilcox. Motion carried.

Trustee Kazmar made a motion to appoint Daniel Rung to fill a vacancy on Emergency Management Committee; seconded by Trustee Wilcox. Motion carried.

- d. **Verizon Monopole Construction Issues** – Kevin Lord pointed out a problem with the tower's base, which extended beyond the leased area. Verizon conducted an emergency meeting, will rotate the location of the pole and buildings and redraw plans. Drawings

- e. **Approval of Proposed Resolution #2011-06-01: Establishing a Records Retention Schedule for the Village** (As Approved by Wis. Public Records Board on 5/16/2011) – Little explained that the resolution will go along with an ordinance revision passed that allows the Village to dispose of certain records after a designated minimum time period without notifying the State Historical Society. The state approved this resolution, which allows the waivers. *Trustee Ziegler made a motion to approve Resolution 2011-06-01; seconded by Trustee O'Brien. Motion carried.*
 - f. **Proposed 2011 Street Work** - Jerry Butts presented a spreadsheet for repair work on various streets. Budget allowance is \$60,000. *Trustee Ziegler made a motion to approve the street work not to exceed \$60,000, with money from the budget; seconded by Trustee Wilcox. Motion carried.*
 - g. **Resolution # 2011-07-02: Resolution of Village Of Belleville, County Of Dane and Green, Wisconsin, Requesting Outdoor Recreation Grant Funds From the WI-DNR** – This resolution is required to submit the application for proposed purchase of 11 acres of Cosgrove-owned wetlands. The grant was actually approved in 2009, but funds were pulled before completion. This is then a re-submission. *Trustee O'Brien made a motion to approve Resolution 2011-07-02; seconded by Trustee Schmitz. Motion carried.*
 - h. **Proposed Budget Resolution 2011-1** – Refer to committee. Tabled.
 - i. **Proposed Beer Garden Permit for Dam Bar 1 LLC, 3 E. Main Street** – *Trustee Ziegler made a motion to approve the beer garden permit for the Dam Bar; seconded by Trustee O'Brien. Motion carried.* The premise met inspection requirements.
 - j. **Acceptance of Grant from Dane County CDBG for Handicapped Accessibility Improvements at Municipal Facilities (Phase 2)** – The grant is for \$42,000, with no Village match required. It will be used to make accessibility improvements to the library restrooms and exits, police department entrance, and old library entrance. *Trustee Ziegler made a motion to accept the grant application for accessibility improvements from Dane County CDBG phase 2; seconded by Trustee O'Brien. Motion carried.*
12. **Adjourn To Closed Session for Discussion of Collection of Unpaid Bills from Baker's Woods Development per 19.85(1)(g)** – *Trustee Ziegler made a motion to go into closed session; seconded by Trustee Kazmar. Motion passed unanimously on a roll call vote.*
13. RECONVENE TO OPEN SESSION for possible action on items discussed in closed session – *Trustee Kazmar made a motion to go into open session; seconded by Trustee Ziegler. Motion carried.* No further motions.
14. **Other Business:** Future meeting dates were noted.
15. **Adjournment** – *Trustee Kazmar made a motion to adjourn; seconded by Trustee Wilcox. Motion passed unanimously.* The meeting was adjourned by President Ward at 10:12 PM.

By April Little, Administrator/Clerk/Treasurer

These minutes were approved by the Belleville Board of Trustees August 1, 2011.