

MINUTES OF PUBLIC HEARING AND REGULAR VILLAGE OF BELLEVILLE BOARD
MEETING HELD MONDAY, MAY 7, 2012 AT
7:00 P.M. VILLAGE HALL - 24 WEST MAIN STREET

PUBLIC HEARING

1. **Call Hearing to Order** - The hearing 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, Gary Ziegler, Bonnie Wilcox, Jim Schmitz and Deb Kazmar. Excused: Tyler Kattre.
Visitors: Michael Parkin; G.S. Donovan; Ed Short; Mike and Jean Tretow; Dave Eustice; Herb Blaser; Terry Kringle; John Baker; Jill Wennesheimer, ADA Committee; Brad Peterson, Belleville Recorder; and Nadine Walsten, Village of Brooklyn President
3. **Public Hearing on Proposed Ordinance 2012-05-01: An Ordinance Amending a Section of Title 10, Chapter 1, Section 43 Relating to Business Uses in a Residential District** – The ordinance brings the bed and breakfast ordinance in line with state statutes, which allows eight guest rooms rather than four. It also allows tourist rooming houses as a conditional use in a residential district. Dave Eustice was concerned about the impact on the sewage system as these lodgings could be approved in an older part of the Village that has had past sewer problems. Terry Kringle said the conditional use permit review process would be the time to address the issue, as impact could vary by neighborhood.
4. **Adjourn Public Hearing** – *Trustee Ziegler made a motion to adjourn the public hearing. Seconded by Trustee O'Brien. Motion carried.* Public hearing adjourned at 7:12 PM.

REGULAR MEETING

1. **Call to order** - The regular meeting was called to order by Village President Howard Ward at 7:12 PM.
2. **Roll call by Clerk** – Trustees present were: Ben O'Brien, Howard Ward, Gary Ziegler, Bonnie Wilcox, Jim Schmitz and Deb Kazmar. Excused: Tyler Kattre.
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 – No discussion.
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 - April 16, 2012
 - b. Approval of Minutes - April 23, 2012
 - c. Approval of Bills for April

- d. Approval of March 2012 Treasurer's Reports
 - e. Approval of Park Use Application for Belleville Fire Department, June 23, for Library Park (100th Anniversary Celebration)
 - f. Approval of Street Use Application – South Vine and East Pearl, for Belleville Fire Department, June 23 (100th Anniversary Celebration)
 - g. Approval for Temporary Class B – Beer and Wine License for Belleville Fire Department, June 23 (100th Anniversary Celebration)
 - h. Approval for Temporary Class B – Beer and Wine License for Belleville Fire Department, May 19 for Fish Boil
7. **Committee Reports** – Trustee Ziegler mentioned that water levels in the lake/river are rising as DNR approvals were received.
8. **President's Report** – Final approval of dam has been received from the WI-DNR.
9. **Administrator/Clerk/Treasurer's Report** – Dane County Park Commission is meeting to recommend PARC grants on May 9; the pedestrian bridge request ranked relatively high.
10. **Unfinished Business:**
- a. **Lake Restoration / West Lake Dredging Projects Update & Issues** – Final approvals received for the lake – emergency action plan, stability analysis, and operating plan. Only waiting on FEMA floodplain map amendments.
 - b. **Goals and Priorities for Village Board for 2012-13** – An updated list was approved. No comments heard.

11. **New Business:**

- a. **Joint Municipal Court with Village of Brooklyn** – Nadine Walsten was present. Their current judge wishes to step down. They looked at forming a joint court with Village of Oregon, but Oregon's caseload increased too much. Brooklyn issues 8-10 citations per month, and often no one appears in court. New court separation rules also create challenges, as well as finding a court clerk for such a small caseload with the extensive training requirements. A merger of courts must coincide with elections, and judge terms are now four years. Subcontracting could take various forms, including compensation for services as well as contributing to judge's professional development.

Village of Brooklyn is asking for consideration of a cooperative agreement with Village of Belleville. The circuit court must approve any kind of agreement drafted. Belleville's new judge, Mary Gehin, is open to consideration of the idea. There may be a financial benefit to both communities to have a joint court. *Trustee Ziegler made a motion to pursue an agreement with the Village of Brooklyn for a joint municipal court, with an ad hoc committee whose members are Jerry Ziegler, Judge Mary Gehin, Belleville Village President, Belleville Police Committee chair, Brooklyn Village President and Brooklyn Police Committee chair to bring a draft agreement to Village Board; seconded by Trustee Wilcox. Motion carried.*

- b. **Discussion of Code Enforcement Project** – Trustee Ziegler said that the Village is in phase 2 of the code enforcement project. He explained how the inspectors came up with their list of repair items for Public Works Committee review. Last year 45 letters were sent. Sixteen of these had no response or repairs and a second letter was sent in February. In Phase 2, 44 letters were sent including one for Belleville Village Hall repair. Driveway repair problems were not pursued. Sidewalks and unsafe steps into houses, falling chimneys, and unsided houses were primary concerns. General Engineering communicated directly with residents. Safety and appearance were the focuses. Code enforcement was specifically put into the job description when a new building inspector was retained. President Ward commented that home owners are responsible for maintaining their properties.

Michael Parkin: he understood the reasoning for the fairness of inspections. He was concerned about interpretation of the ordinances in the letters. Response was that the packets prepared by General Engineering included photos and specific violations that were then reviewed by Public Works Committee. Public Works will be inspecting sidewalks in general as some are becoming hazardous, particularly on Main Street where the trees are causing heaving. It seemed like whether to order driveway repairs was the main public concern, but the committee chose not to enforce that by itself. For sidewalks, those heaving more than a half-inch will be considered for repair. Also, sidewalks are publicly used, unlike driveways. Suggestion of providing clearer public information in the future.

- c. **Dane County CDBG 2012 Grant Applications for Accessibility Improvements** – The CDBG grant would not cover any new construction for the Community Park bathroom building. Bathrooms are a priority and are not accessible, made worse by the new construction. Also suggested for the application were playground equipment accessibility; connecting park pathways between restrooms, parking and facilities; and crossing improvements over STH 69 to the park (DOT approval would be necessary). This is title 2 of the ADA projects. Michael Parkin said County Materials might be interested in donating materials to the lake projects. The committee is also looking at state highway crossing flags, with the help of the Kiwanis. The walking path from the new pedestrian bridge to parking lot might be able to be included. Discussion of park bathrooms; they could be remodeled to be made accessible and unisex. It was decided to include the bathrooms in the submission.
- d. **Adoption of Comprehensive Outdoor Recreation Plan** – The most recent version corrected typographical errors and marked park plans as conceptual. *Trustee Ziegler made a motion to approve Resolution 2012-05-01, Adopting the Comprehensive Outdoor Recreation Plan for the Village of Belleville; seconded by Trustee O'Brien. Motion carried.*
- e. **Approval of a Preliminary Development Agreement Relating to Payment of Village Costs with John D. Baker and James R. Olson (J&J Property Holdings LLC) for Lot 1, CSM #12757** – John Baker and Ed Short were present. Baker would like to split lots within the TIF District into four parcels out of the current one parcel. Baker would like one of those parcels for his home. A predevelopment agreement was needed because the TIF costs will need to be split among the new parcels. *Trustee Ziegler made a motion to approve the agreement with Baker and Olson;*

seconded by Trustee O'Brien. Motion carried with Trustee Wilcox abstaining.

- f. Proposed Ordinance 2012-05-01: An Ordinance Amending a Section of Title 10, Chapter 1, Section 43 Relating to Business Uses in a Residential District** – *Trustee Ziegler made a motion to approve Ordinance 2012-05-01; seconded by Trustee O'Brien. Motion carried.*
- g. Proposed MSA Task Order #372051 Serv-Us Street Stormwater Improvement Services** – This proposal is to extend storm sewer along Serv-Us Street. The task order is for MSA to prepare bidding and construction documents and perform construction related services. *Trustee Ziegler made a motion to enter into a task order not to exceed \$18,650 with funds to come with Stormwater utility budget 2012; seconded by Trustee Schmitz. Motion carried.*
- h. Discussion and Possible Action on Weapons Purchase (Police Department)** – Trustee Kazmar said three officers want to purchase their own rifles. It is proposed that the Village would then front the money and it would be paid back through their paychecks. Sales taxes would apply and no special discounts apply. Trustee Kazmar said this had been done in the past. If the officers leave the department, they would take the weapon with them. The officers have the option of providing their own weapons. President Ward said there is an advantage to having a weapon customized to each person. If there is termination of employment before payment in full, there must be full payment made. *Trustee Kazmar made a motion to allow officers to make a weapons purchase with funds from general fund, with funds to be repaid over 26 pay periods; seconded by Trustee Schmitz. Motion carried.* It was clarified this is also allowed in the police contract, but it does not appear uniform funds may be applied toward weapons purchases.

12. Other Business: Future meeting dates were noted.

13. ADJOURN TO CLOSED SESSION for discussion of Police Department Staffing per 19.85(1)(c) – *Trustee O'Brien made a motion to go into closed session; seconded by Trustee Kazmar. Motion passed unanimously on a roll call vote.*

14. RECONVENE TO OPEN SESSION for possible action on items discussed in closed session – *Trustee O'Brien made a motion to adjourn closed session into open session; seconded by Trustee Ziegler. Motion carried.*

15. Adjournment – *Trustee Schmitz made a motion to adjourn; seconded by Trustee Wilcox. Motion passed unanimously.* The meeting was adjourned by President Ward at 9:40 PM.

By April Little, Administrator/Clerk/Treasurer

These minutes were approved by the Belleville Board of Trustees on May 21, 2012.