

MINUTES OF SPECIAL VILLAGE OF BELLEVILLE BOARD MEETING
HELD MONDAY, **OCTOBER 17, 2011** AT
7:00 P.M. VILLAGE HALL - 24 WEST MAIN STREET

PUBLIC HEARING

1. Call Public Hearing to Order - The hearing was called to order by Village President Howard Ward at 7:06 PM.
2. Roll call by Clerk - Trustees present were: Tyler Kattre, Ben O'Brien, Howard Ward, Jim Schmitz, Gary Ziegler, Deb Kazmar and Bonnie Wilcox
3. Visitors: Carolyn Hegge-Madison Family Medicine Residency Corp, Jim Root, Herb Blaser, Michael Parkin, Brad Peterson-Belleville Recorder, Village Attorney Matt Dregne, Justin Frahm – JSD Engineering, and Terry Kringle
4. Public Hearing on Reopening and Amending the Special Assessments Levied and Installment Payment Schedules incorporated in Resolution Nos. 2010-09-04, 2010-09-05, 2010-09-06(A), and 2010-09-06(B), adopted September 20, 2010, relating to the Bell West Development (THEA Group LLC) and Baker's Woods Development (John D. Baker and James R. Olson) – No one appeared to speak.
5. Adjourn Public Hearing – *Trustee Ziegler made a motion to adjourn the hearing; seconded by Trustee Kazmar. Motion carried. Hearing adjourned 7:07 PM.*

REGULAR MEETING

1. Call to order - The meeting was called to order by Village President Howard Ward at 7:07 PM.
2. Roll call by Clerk – Trustees present were: Tyler Kattre, Ben O'Brien, Howard Ward, Jim Schmitz, Gary Ziegler, Deb Kazmar and Bonnie Wilcox.
3. Visitors: Carolyn Hegge-Madison Family Medicine Residency Corp, Jim Root, Herb Blaser, Michael Parkin, Brad Peterson-Belleville Recorder, Village Attorney Matt Dregne, Justin Frahm – JSD Engineering, and Terry Kringle
4. The Clerk stated that the meeting has been noticed as required by law.
5. Visitors Who Would Like to Speak Now – None.
6. Visitors Who Would Like to Speak On an Agenda Item – None.
7. **Consent Agenda:** *Trustee Kazmar made a motion to approve the consent agenda; seconded by Trustee Wilcox. Motion carried.*
 - a. Approval of Minutes (September 28, October 3 & 10, 2011)
 - b. Approval of Bills for October 2011 to Date
 - c. Approval of Treasurer's Report for September 2011

- d. Approval of Third Quarter 2011 Reports
 - e. Approval of Operator's License Application for Ashley A. Wichser
 - f. Codification – Editorial Analysis Committee Recommendations [None]
8. Committee Reports – Police Committee is finished with codification review.
 9. President's Report – Nothing.
 10. Administrator/Clerk/Treasurer's Report – The office will be busy with training in the next two weeks.

11. Unfinished Business:

- A. First Amendment to Agreements to Undertake Development in Tax Increment District No. 3 (West Side Neighborhood)** – Matt Dregne: there are two agreements presented. They both modify the existing agreements to incorporate highway improvement projects using Build America Bond funds. Costs can be specially assessed and TIF increments can be applied to expenses. They also update the special assessment process.

The Bell West agreement refers to lots that were specially assessed in the TIF district. The developers requested a methodology for releasing lots from the special assessment. This incorporates a process for doing so. At the time of sale, the developers can request a review of the value of the remaining property in the TIF that is unsold. Assuming that fair market value is sufficient, the value of the sold lot can be reallocated to these other lots. If this value is insufficient, this agreement allows the developer to provide cash to bring the value up to what is required for release. There is also a cost recovery agreement that requires Bell West to pay the Village for any cost related to the release of lots. The Baker's Woods agreement is the same, but does not include a special assessment lien release process. This may need to be addressed in the future.

1. **Bell West Development** – *Trustee Ziegler made a motion to approve the Bell West First Amendment to the TIF Agreement to Undertake Development in TIF #3; seconded by Trustee O'Brien. Motion carried.*
 2. **Baker's Woods Development** – *Trustee Ziegler made a motion to approve the Baker's First Amendment to the TIF Agreement to Undertake Development in TIF #3; seconded by Trustee Kazmar. Motion carried with Trustee Wilcox abstaining.*
- b. Cost Recovery Agreement** – *Trustee Ziegler made a motion to approve the Bell West Cost Recovery Agreement Relating to Special Assessment Reallocations; seconded by Trustee Kattre. Motion carried with Trustee Wilcox abstaining.* This agreement relates to recovery of costs from Thea Group associated with reallocation of special assessment liens and the cost in preparing the agreement and amending the TID agreement.
- c. Consideration Of Resolution 2011-09-01 – Amended Final Resolution Levying Special Assessment Against Benefited Property – Bell West TIF Area;**

Resolution 2011-09-02 – Amended Final Resolution Levying Special Assessment Against Benefited Property – Bell West Non-TIF Area; Resolution 2011-09-03 – Amended Final Resolution Levying Special Assessment Against Benefited Property – Baker’s Woods TIF Area; Resolution 2011-09-04 – Amended Final Resolution Levying Special Assessment Against Benefited Property – Baker’s Woods Non-TIF Area

Dregne: The purpose of these resolutions is to adopt new amended special assessments. These can be attributed to two factors: actual final costs of the Far West Side sanitary sewer and lift station came in less than anticipated and second, highway work was required to serve the Bell West plat. The new special assessment report details these costs. The documents include special assessment installment schedules for each lot, each year. The developers will be notified every November of payments due. The amount of tax increment must first be determined, and then installment payments reduced by this amount.

This brings everything current based on actual costs. Some additional highway costs and the costs to update the report will be addressed later. The amounts on the updated report, on the other hand, correlate directly to the debt issued and approved. When the process is complete, the remaining costs not covered by special assessments will need to be addressed and whether they will be specially assessed. A revenue source will need to be determined. In addition, the financial advisors requested Baker and Olson be contacted to provide the coverage for the security on the B-Bonds approved at the previous Village Board. An agreement will be needed with them accordingly.

Trustee Ziegler made a motion to approve Resolutions 2011-09-01, 2011-09-02, 2011-09-03 and 2011-09-04; seconded by Trustee Kattre. Motion carried with Trustee Wilcox abstaining.

- d. **Lake Restoration / West Lake Dredging Projects Update** – DNR will be doing testing this week.
- e. **Stormwater Utilities Update** – Implementation is expected on November bills.
- F. **Proposed Budget 2012** – President Ward would like to see the Village retain the fire dues, which has been traditionally been paid back to the Fire Department, to use for Village’s share of fire department capital expenses in the future. Trustee Ziegler said the money must be segregated. For example, the radios could have been a covered expense. Trustee Ziegler inquired about water used for fires; the Village is not getting reimbursement. Can it be billed to property owners? These questions will be investigated further.

12. **New Business:**

- a. **Proposed Pedestrian Bridge over Sugar River / Location** – Justine Frahm was present and gave an overview of the three proposed locations: 1 – at Harrison Street; 2 - over the dam; and 3 – original location. Terry Kringle spoke in favor of the Harrison Street option, as it would provide better access to future western neighborhoods and the school and would not require private property access at this

time. He felt option 2 was costly and could cause structural issues if dam repair is needed. He urged creating a mockup of how the bridge would affect the viewpoint of the dam if it is installed in the original location, and it is too close to the highway bridge. Fourth option would be do nothing. Herb Blaser also felt option 2 should be taken off the table. He felt less concern about the viewpoint of the option 3, but felt there were some concerns about the DNR's approval of option 1. Rick Francois: felt the cheapest option may not be the best in the long-term view. He felt the visual was very important to future development.

Frahm: felt it was important to have a liaison from the Village present at meetings with DNR and Army Corp. of Engineers (ACOE). Mike Parkin: spoke in favor of option 3 and had concerns about the Safe Routes to School grant program. Jim Root and President Ward felt a final decision should be made after information is obtained from DNR and ACOE. *Trustee Ziegler made a motion to authorize JSD Engineering to meet with DNR and ACOE to obtain an opinion on whether the locations are feasible before making a final decision; seconded by Trustee O'Brien.* President Ward and Trustee Ziegler suggested looking at all three spots. *Motion carried.* Information will come back to Public Works Committee.

- b. **Proposed Ordinance: No. 2011-10-01: An Ordinance to Prohibit Entry or Presence in Public Buildings While Carrying Firearms** – *Trustee Ziegler made a motion to adopt Ordinance 2011-10-01; seconded by Trustee Kattre. Motion carried.* The ordinance meets the new state law and was approved by the Village attorney. Signs will need to be posted at all entrances of municipal buildings.
- c. **Proposed MSA Task Order 372047 for Old Library Exterior Maintenance Project** – MSA will get documents ready for the RFP for bidding work for repairs on the old library. *Trustee Ziegler made a motion to approve MSA Task Order 372047, to be paid from previously borrowed funds; seconded by Trustee O'Brien. Motion carried.*
- d. **TIF #3 Audit Report** – Little said that the amount of expenditures in the district required the first audit to be performed. Auditors found no compliance issues. A separate summary sheet of the expenditures over the years plus some projected expenditures was provided. *Trustee Wilcox made a motion to accept the TIF 3 audit from Baker Tilly; seconded by Trustee Schmitz. Motion carried.*

13. **ADJOURN TO CLOSED SESSION: For Discussion of Police Union Contract Negotiation Strategy**, per WI Stats 19.85(1)(e) – Not held. The Police Union is considering the Village's wage offer.

14. RECONVENE TO OPEN SESSION – No action.

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

16. **Adjournment** – Trustee Schmitz made a motion to adjourn; seconded by Trustee Wilcox. Motion passed unanimously. The meeting was adjourned by President Ward at 8:55 PM.

By April Little, Administrator/Clerk/Treasurer

These minutes were approved by the Belleville Board of Trustees November 8, 2011.

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