

**COMMITTEE OF
THE WHOLE**

Monday, March 25, 2019

5:30 PM

McFarland Municipal Center
Conference Room A

AGENDA

1. CALL TO ORDER.
2. ATTENDANCE/ROLL CALL.
3. PUBLIC APPEARANCES.
4. APPROVAL OF MINUTES.
 - a. Discussion and action regarding the minutes of the meeting held March 11, 2019.
5. BUSINESS.
 - a. Discussion regarding the job description for the Community Development Director position within the Community Development Department.
 - b. Discussion regarding the creation of a sustainability committee.
 - c. Discussion regarding resolution 2019-XX: a resolution for the Village of McFarland to join the Green Tier Legacy Community Program through the Wisconsin Department of Natural Resources.
6. SCHEDULE NEXT MEETING DATE.
 - a. To be determined.
7. ADJOURNMENT.

This meeting notice constitutes an official meeting of the above referenced group and was posted in accordance with all applicable laws related to Open Meetings Law. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals. For additional information or to request this service, contact the McFarland Municipal Center at (608) 838-3153 or cassandra.suettinger@mcfarland.wi.us.

VILLAGE OF MCFARLAND
Committee of the Whole Minutes

Monday, March 11, 2019 - 6:00 PM

1. CALL TO ORDER.

Village President Czebotar called the regular meeting of the McFarland Committee of the Whole to order at 6:00 pm in the Conference Room A of the McFarland Municipal Center.

2. ATTENDANCE/ROLL CALL.

Village Board members present: Village President Brad Czebotar, Village Trustee Jerry Adrian, Stephanie Brassington, Carolyn Clow, Dan Kolk, Mary Pat Lytle, and Shaun O'Hearn.

Village Board members not present: None.

Staff Present: Administrator Matt Schuenke and Community Development Director Pauline Boness.

3. PUBLIC APPEARANCES.

None.

4. APPROVAL OF MINUTES.

a. Discussion and action regarding minutes of the meeting held February 25, 2019.

Motion by Trustee Adrian, second by Trustee O'Hearn, to approve the minutes of the meeting held February 25, 2019. Motion carries 7 - 0 - 0 by acclamation.

5. BUSINESS.

a. Discussion regarding the Community Development Department Organizational Chart.

The Committee reviewed the current organizational chart and the proposed draft that simply updated the format of the existing structure. It was felt that the structure was sufficient to meet the present needs of the Department and do not recommend additional changes.

b. Discussion regarding the job description for the Community Development Director position within the Community Development Department.

The Committee reviewed the description for the Community Development Director position. The Committee was agreeable to new references to sustainability, discussed adding Economic to the title, and reviewed opportunities to use this position as a liaison to the business community. Further direction was provided to bolster the community development responsibilities, add in information on healthy communities, rearrange the job functions, and adjust some of the knowledge/abilities. The Village Administrator will take the comments provided and update the draft updated job description. The Committee will consider the updated description at its meeting on March 25, 2019.

- c. Discussion regarding resolution 2019-XX: a resolution for the Village of McFarland to join the Green Tier Legacy Community Program through the Wisconsin Department of Natural Resources.

This item was not discussed and will be referred to the meeting on March 25, 2019.

- d. Discussion regarding the creation of a sustainability committee.

This item was not discussed and will be referred to the meeting on March 25, 2019.

6. SCHEDULE NEXT MEETING DATE.

- a. To be determined.

The next meeting will be held on Monday, March 25, 2019 at 5:30 pm.

7. ADJOURNMENT.

Motion by Village Trustee Shaun O'Hearn, second by Village Trustee Jerry Adrian, to adjourn at 6:59 pm.

Pursuant to law, written notice of this meeting was given to the public and posted on the public bulletin boards in accordance with Open Meetings Law.

Respectfully submitted,
Matthew G. Schuenke
Village Administrator



VILLAGE BOARD SUMMARY SHEET

MEETING DATE: Monday, March 25, 2019

SECTION: Business

DEPARTMENT: Administration

CONTACT: Matt Schuenke, Village Administrator

AGENDA ITEM: Discussion regarding the job description for the Community Development Director position within the Community Development Department.

PREVIOUS ACTION:

The Committee first reviewed the description and provided feedback at their meeting on March 11, 2019.

ISSUE SUMMARY:

Enclosed within your packet is an updated version to the Community Development Director position description based on comments provided from the last meeting. This version was established by accepting the changes presented in that meeting by Staff that were updates to the description, and then creating this new file showing the revisions from our last meeting. A summary for which is provided as follows:

- Change in Title - It was suggested that the Position Title should be revised to also include "Economic" as part of the Director designation. A second suggestion was floated to consider whether it should be called "Planning and Development Director".
- Sustainability - This item was a new addition to the description but the sentence was shortened to keep the direction broad based.
- Business Link - Language was drafted and included to add in specific responsibility for the position to serve as a liaison to the business community and commercial interests.
- Healthy Community - As a means to make the position more community focused as well as economic, language was added regarding healthy community initiatives and their effect on essentially quality of life.
- Rearrangement - The duties were rearranged to some extent to adjust how the duties are presented. There is no hierarchy assigned within our job descriptions making one bullet point more important than another solely based on its position within the listing. They all have equal weight.
- Removed Forecast - Within the ability to section the budget reference was removed as it was considered redundant to the essential duty requiring the same.
- Expand Communication - The ability to item about effective communication was



expanded to include boards, commissions, committees, and co-workers.

- Training - A new ability to was added to include their ability to train and educate those they work with about their responsibilities regarding the delivery of Community Development services.
- Policy - Adjusted the ability to on policy and procedural direction to make it more broad based.
- Required Qualifications - Adjusted the format to this section and make a few minor revisions to either add or remove items as was discussed.

The schedule to finalize our review of this description is as follows:

- March 25 - Committee will finalize its review of the description and send to Committee for their recommendation.
- April 1 - Personnel Committee will evaluate and make its recommendation to the Village Board.
- April 3 - Community Development Authority will evaluate and make its recommendation to the Village Board.
- April 8 - Village Board will receive the two recommendations by taking final action to accept the revised description and authorize the vacancy to be filled which will begin the recruitment.

FINANCIAL/BUDGET IMPACT:

The present grade for the position is Grade 20 which currently has a range of \$73,237 to \$95,118 with a market rate of \$84,178.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

It is recommended the Committee finalize its review of the description by sending the description to the Personnel Committee and Community Development Authority for those groups to make their recommendation to the Village Board.

ATTACHMENTS:

1. 03.20.2019 - Community Development Director mgs

Community **and Economic** Development Director

Commented [MS1]: Another option was considered for "Planning and Development Director"

POSITION DESCRIPTION

Position Title: Community Development Director **FLSA:** Exempt
Department: Community Development **Represented:** No
Reports to: Village Administrator **Employment Status:** Full-Time

POSITION SUMMARY

Distinguishing Characteristics of the Class

This department head position is responsible for directing and administering the activities of the Community Development Department, including land use planning, zoning, plan review, inspections, code enforcement, sustainability, and economic development functions. The work involves: planning and coordinating the programs and services of the department; selecting, training, and supervising departmental employees; formulating departmental goals and short/long range plans; preparing and administering the departmental budget; and establishing standard operating policies and procedures for the department.

Supervision Received

Performs under general policy direction from the Village Board and assigned Committees, and administrative direction from the Administrator, but exercises considerable independent judgment in determining program and work priorities and the technical/operational objectives and practices of the department.

Supervision Exercised

Provides direct supervision to the Building Inspector, Community Development Clerk III, and Property Maintenance Enforcement Inspector. Also serves as the liaison to contracted Village consultants as assigned.

DESCRIPTION OF WORK

Essential Duties and Responsibilities

- Manages and supervises Community Development operations to achieve goals within available resources; plans and organizes workloads and staff assignments; trains, motivates and evaluates assigned staff; reviews progress and directs changes as needed to improve efficiency and effectiveness of operations.
- Serves as Zoning Administrator and Floodplain Zoning Administrator assisting property owners, business owners, builders, architects, and engineers regarding Zoning Code and Comprehensive Plan application and interpretation.
- Provides professional planning, development advice, meeting management, and staff support to elected and appointed officials; makes private and public presentations to boards, commissions, committees, civic groups and the general public.
- Facilitates and oversees Village sustainability efforts by working with the Village Board, Public, and Staff ~~on opportunities and issues to improve the environment.~~

- Serves as a liaison to the business community and other commercial interests as a means to coordinate economic development activities that recruit, market, and engage these groups as part of their development within the Village.
- Coordinates site plan review of current development and consistency with long range planning documents.
- Researches, evaluates, and recommends healthy community initiatives that enhance Community livability and general welfare.
- Responds to local citizens inquiring about community development, planning and zoning regulations and ordinances; resolves complex and sensitive customer service issues.
- Oversees the enforcement of a variety of codes, including the Uniform Dwelling Code and pertinent mechanical codes, plumbing codes, electrical codes, housing codes, and local codes such as sprinkling, nuisance, clearing, grading, filling, and zoning, etc. Issues correction notices and citations.
- Oversees the permit issuance functions of the department, including application, fee determination and collection, plan review, inspections, and occupancy.
- Ensures the maintenance of accurate and complete records of department activities and of records relating to licenses, permits, maps, blueprints, overlays, and sketches pertinent to urban planning and development programs and projects.
- Provides leadership and direction in the development of short and long range plans and projects; gathers, interprets, and prepares data for studies, reports and recommendations; coordinates department activities with other departments and agencies as needed.
- Supervises the development and implementation of growth management, land use, economic development, housing, historic preservation, sustainability, or other plans and codes to meet the Village's needs and any intergovernmental agreements or requirements.
- Supervises the evaluation of land use proposals for conformity to established plans and ordinances; evaluates the impact of development proposals as they relate to the adopted plans of the Village and makes recommendations. Oversees the application of the land division code for applications as needed.
- Attends professional development workshops and conferences to keep abreast of trends and developments in the field of municipal planning, zoning, economic development, and sustainability.
- Monitors intergovernmental decisions and legislation affecting department operations and takes appropriate action.
- Prepares and administers annual operating budget. Assures that assigned areas of responsibility are performed within budget; performs cost control activities; monitors revenues and expenditures in assigned area to assure sound fiscal control; assures effective and efficient use of budgeted funds, personnel, materials, facilities, and time.

- Identifies, reviews, and presents grant opportunities to the Village Board, Committees, and Administrator as appropriate to support operating and capital needs of the Department.
- Performs other related duties as required.

Equipment Used

Personal computer/printer and various software applications including GIS mapping, motor vehicle, calculator, telephone, copier, fax machine, audio-visual equipment.

Work Environment and Working Conditions

Works in normal office setting with moderate noise levels. Occasional outdoor work may be required under controlled field conditions. Hours beyond the normal work week required; attendance at evening meetings required.

TECHNICAL REQUIREMENTS

Knowledge of

- Principles and practices of zoning administration and of local zoning regulations.
- The process of formulating, adopting, and implementing comprehensive project plans.
- Planning programs and processes.
- Economic development techniques, including structuring of financial incentives and development agreements including but not limited to those incentives allowed under Tax Increment Financing law.
- The standards by which the efficiency, effectiveness, and quality of department services and the performance of employees can be evaluated.
- Federal and State grant programs for environmental remediation and development incentives.
- Data processing and GIS applications and basic computer skills.
- Applicable federal and state laws, regulatory codes, and municipal ordinances and the ability to interpret and apply them in different situations.
- Supervisory principles and practices.

Ability to

- Plan, organize, direct, and evaluate the work of employees supervised.
- ~~Forecast the operational and capital needs of the department and to formulate and administer the departmental budget.~~
- Establish and enforce standard departmental policies and procedures.
- Determine proper priorities and to set and accomplish departmental objectives.
- Maintain necessary records and to prepare and analyze technical reports and data.

- Interpret and apply complex regulations.
- Communicate effectively in oral and written form with board, commission, and committee members as well as co-workers, architects, contractors, developers, and property owners.
- Train and educate individuals associated with carrying out the services provided by the Department on necessary responsibilities as they apply to policy, ordinance, and/or State law.
- Interpret and implement policy and procedural direction ~~from the Village Board, Plan Commission, and Administrator/Treasurer.~~
- Establish and maintain effective working relationships with the Village Board, administrator, other department heads, employees, other governmental agencies, and the general public.
- Represent the department and the Village in meetings, public presentations, and before the media.
- Work independently and as part of a team to facilitate Department service responsibilities.
- Establish effective working relationships with co-workers and other contacts.
- Maintain excellent relations with the public.
- Maintain a valid Wisconsin driver's license.

GENERAL COMPETENCIES

While performing the duties of this job, the employee is required to accomplish all of the tasks routinely associated with the performance of office type functions. In addition, the employee must be able to satisfy the following competency requirements.

- ◆ ANALYTICAL SKILLS: Identify problems and opportunities; review possible alternative courses of action before selecting one; utilize information resources available when making decisions.
- ◆ COMMUNICATION SKILLS: Communicate ideas and information effectively in both written and oral form.
- ◆ PROBLEM-SOLVING SKILLS: Develop feasible, realistic solutions to problems; recommend actions designed to prevent problems from occurring; refer problems to supervisor when necessary.
- ◆ ORGANIZATIONAL SKILLS: Establish systematic methods of accomplishing goals.
- ◆ READING ABILITY: Effectively read and understand information contained in memoranda, reports, ordinances, codes, regulations, technical manuals, bulletins.
- ◆ TECHNICAL COMPREHENSION: Ability to learn, adopt, and apply new technology, computer systems and software programs.
- ◆ ABILITY TO COMPREHEND AND FOLLOW INSTRUCTIONS: Effectively follow verbal or written instructions from supervisor.

- ◆ MATHEMATICAL ABILITY: Calculate basic arithmetic problems (addition, subtraction, multiplication, division) without aid of a calculator.
- ◆ TIME MANAGEMENT SKILLS: Set priorities in order to meet assignment deadlines.

REQUIRED MINIMUM QUALIFICATIONS

A B.A. degree in land use municipal planning, public administration, urban planning, or closely related field is required. ~~with a~~ A M.A. degree or an American Institute of Certified Planners (AICP) certification is preferred. ~~desirable.~~ A minimum of three ~~(3) to five (3-5)~~ years progressively responsible experience in municipal planning, land use, permitting, inspections, and economic development services. Any combination of education and experience which in the sole discretion of the Village would demonstrate the Employee's ability to meet the required knowledge, skills, and abilities for the position may also be considered. Must possess or be able to obtain a valid Wisconsin driver's license.

NOTES

1. The job duties listed herein are intended only as illustrations of the types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.
2. The work environment characteristics and physical demands described herein are representative of those that the employee encounters or must meet while performing the essential functions of this job. In compliance with the Americans with Disabilities Act, the Village will provide reasonable accommodations to qualified individuals with disabilities. The Village is an Equal Opportunity Employer.
3. The job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer as the needs of the employer and requirements of the job change. The Village retains and reserves any and all rights to change, modify, amend, add to, or delete from any section of this position description.

I hereby acknowledge that I have received a copy of and do understand the requirements of this position description with the Village of McFarland.

Dated this ____ day of _____, 20__.

Employee Signature

Department Head Signature

Created: May 1, 2000

Amended: March 2, 2006
May 1, 2014



VILLAGE BOARD SUMMARY SHEET

MEETING DATE: Monday, March 25, 2019

SECTION: Business

DEPARTMENT: Administration

CONTACT: Matt Schuenke, Village Administrator

AGENDA ITEM: Discussion regarding the creation of a sustainability committee.

PREVIOUS ACTION:

This was last discussed by the Committee of the Whole at their meeting on December 10, 2018.

ISSUE SUMMARY:

At a previous Village Board meeting, Trustee Clow requested further discussion about establishing a Sustainability Committee. Enclosed is some background as to where that might be located within our code amongst the other Standing Committees. The current code for Standing Committees is also provided for background. There are also three other examples of what is in place in neighboring communities. The Committee will need to discuss how it desires to create a new committee for this purpose and how it fits in with current operations.

FINANCIAL/BUDGET IMPACT:

The main cost is going to staffing assignment. A Department or Departments will need to be assigned this Committee and then an employee assigned to assist their work. The cost for this can likely be absorbed within existing operating budgets but would add to the current workload assuming no other committee assignments change. The main issue for both the cost and functionality of this Committee, if its desired, is creating it in such a way that it is cohesive both with our current staffing and committee structure.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Presented for discussion as requested.

ATTACHMENTS:

1. Sustainability Committee
2. Article V - Standing Committees
3. Fitchburg EXAMPLE



4. Middleton EXAMPLE
5. Monona EXAMPLE

Chapter 2 – Administration

Article V – Standing Committees

Division 1 – Generally

Sec. 2-347 – Established

The following is a list of standing committees of the Village:

- (1) Communications and Technology Committee.
- (2) Finance Committee.
- (3) Natural Resources Committee.
- (4) Parks and Recreation Committee.
- (5) Personnel Committee.
- (6) Public Safety Committee.
- (7) Public Utilities Committee.
- (8) Public Works Committee.
- (9) Senior Outreach Services Committee.
- (10) Volunteer Committee.
- (11) Sustainability Committee.

Division 2 – Communications and Technology Committee

Division 3 – Finance Committee.

Division 4 – Parks, Recreation, and Natural Resources Committee.

Division 5 – Reserved.

Division 6 – Personnel Committee.

Division 7 – Public Safety Committee.

Division 8 – Public Utilities Committee.

Division 9 – Public Works Committee.

Division 10 – Senior Outreach Services Committee.

Division 11 – Volunteer Committee.

A copy of the current code language for Divisions 2-11 is provided as an attachment. Please reference for more information.

The following language would need to be created and approved as an ordinance amendment to create a Sustainability Committee as a new standing committee. The discussion should consider the purpose of the committee (i.e. – charge), objectives, composure, format, terms, membership, and other items of importance to its establishment.

Division 12 – Sustainability Committee.

Sect. 2-471 – Jurisdiction.

The Sustainability Committee advises the Village Board on...

ARTICLE V. - STANDING COMMITTEES

DIVISION 1. - GENERALLY

Sec. 2-347. - Established.

The following is a list of standing committees of the Village:

- (1) Communications and Technology Committee.
- (2) Finance Committee.
- (3) Natural Resources Committee.
- (4) Parks and Recreation Committee.
- (5) Personnel Committee.
- (6) Public Safety Committee.
- (7) Public Utilities Committee.
- (8) Public Works Committee.
- (9) Senior Outreach Services Committee.
- (10) Volunteer Committee.

(Ord. No. 2013-08, § 1, 9-9-2013)

Secs. 2-348—2-357. - Reserved.

DIVISION 2. - COMMUNICATIONS AND TECHNOLOGY COMMITTEE

Sec. 2-358. - Jurisdiction.

The Communications and Technology Committee sets policies and oversees the administration, operations, and programming of the Village's cable channel. The Communications and Technology Committee also oversees the operation of the Village's website and major purchases of computer hardware and software.

Sec. 2-359. - General Provisions.

The provisions of Wis. Stats. § 66.0420 are hereby incorporated as though fully set forth herein. The additional provisions of this Chapter supplement those provisions of the state statutes and constitute an expression of the Village's home rule authority. Any person who owns, leases, operates, controls, constructs or maintains a video service or cable television service shall comply at all times with the provisions herein when constructing, operating or maintaining a video service or cable television service in the Village.

Sec. 2-360. - Definitions.

The terms used in this Chapter shall have the same meaning as those terms are defined in Wis. Stats. § 66.0420(2), which is incorporated as though fully set forth herein.

Sec. 2-361. - Video service provider fee and PEG channel monetary support.

- (a) *Video service provider fee.* Video service providers and cable operators shall pay, in addition to the PEG support fee set forth in Subsection (b) of this Section, a video service provider fee to the Village in an amount equal to five percent of the provider's gross receipts.
- (b) *Public, educational and government (PEG) channel monetary support.* Video service providers and cable operators shall pay, in addition to the video service provider fee set forth in Subsection (a) of this Section, a monthly fee of \$0.25 per subscriber, which payment shall be used to fund PEG access related external costs. The allocation of the PEG channel monetary support fee between public access and government access activities/channels shall be at the sole discretion of the Village and which allocation the Village may alter at any time and without notice.
- (c) *Supporting documentation.* Payment of the fees set forth in Subsections (a) and (b) of this Section shall be accompanied by documentation verified by an agent or officer with the authority to legally bind the provider that is sufficient for the City to verify the accuracy of the fees being paid by the provider. The failure to provide such documentation shall subject the provider to a forfeiture of not less than \$100.00 nor more than \$5,000.00 per day until such time the documentation is provided to the Village.

Sec. 2-362. - Peg channel requirements.

- (a) *Number of PEG channels.* Video service providers and cable operators shall provide capacity for three PEG channels. These channels shall be allocated as follows: one specifically designated for the McFarland Cable Channel for the operation by the Village of a governmental access channel; one channel dedicated for use by WYOU, which is operated as a public access channel by WYOU Community Television Inc., and one channel dedicated for use as an educational access channel by the McFarland School District.
- (b) *Location of PEG channels.* PEG channels must be carried on any service tier that is viewed by more than 50 percent of the video service provider's or cable operator's customers. Video service providers or cable operators may not charge an extra fee nor require the rental of special equipment in order for their customers to view such PEG channels if such fees or equipment are not required to view any of the non-PEG channels on such service tiers.
- (c) *Quality of PEG channels.* Video service providers and cable operators shall not carry a PEG television signal in a lesser format or lower resolution than that afforded to a nonbroadcast digital programmer carried on the video or cable system. The signal quality of PEG channels shall be indistinguishable or better than the signal of other non-PEG channels carried by the video service provider or cable operator.
- (d) *Drops/origination points.* Video service providers and cable operators shall apply and maintain upstream capacity from all current origination points (a/k/a "live drops") and shall provide sufficient capacity for carriage of a television signal from each of these origination points at all times. These origination points are all located in the Village as follows:
 - (1) McFarland Municipal Center; 5920 Milwaukee Street;
 - (2) E.D. Locke Public Library; 5920 Milwaukee Street;

- (3) McFarland High School; 5101 Farwell Street;
 - (4) Indian Mound Middle School; 6330 Exchange Street;
 - (5) Madison Curling Club; 4802 Marsh Road.
- (e) *Substantial utilization of PEG channels and PEG programming.*
- (1) *Procedures for disconnection due to failure to substantially utilize PEG channel.*
 - a. *Written notice of objection to program as not locally produced.* A video service provider or cable operator must provide written notice to the PEG channel director within ten days of the first or original airing of any program that the video service provider or cable operator is objecting to the program as having not been locally produced. Such notice shall describe with particularity the program being objected to, the date and time the program was first aired and the factual basis supporting the objection. Failure to timely provide this notice waives the objection and, therefore, such program will be counted towards the determination of whether said PEG channel is being substantially utilized.
 - b. *Written notification of failure to substantially utilize channel.* A video service provider or cable operator must provide written notification to any PEG channel director within ten days following any week in which the video service provider or cable operator objects that the PEG channel has not been substantially utilized. Such notice shall describe with particularity the time period being objected to, the dates and times during the week in which qualifying programming was not aired and the factual basis supporting the objection. Failure to timely provide this notice waives the objection and, therefore, such programming period will be counted towards the determination of whether said PEG channel is being substantially utilized.
 - c. *Written notification of intention to disconnect, reprogram or drop PEG channel.* A video service provider or cable operator must provide 120 days' advance written notification to any PEG channel director that the video service provider or cable operator intends to disconnect, reprogram or drop. A video service provider or cable operator may not disconnect, reprogram or drop any PEG channel that it has not timely provided with such written notice. Furthermore, should any PEG channel director provide the video service provider or cable operator with a written response that the PEG channel was substantially utilized by the municipality, the video service provider or cable operator shall not disconnect, reprogram or drop the PEG channel.
 - d. *Penalty for failing to provide notice.* If any video service provider or cable operator disconnects, reprograms or drops any PEG channel without providing the notice as required in Subsections (e)(1)a through c of this Section the video service provider or cable operator shall be subject to the following:
 - 1. Immediate reinstatement of the PEG channel to its location in the channel line-up prior to the disconnection, reprogramming or dropping of the channel.
 - 2. The issuance of a citation demanding a forfeiture of not less than \$1,000.00 nor more than \$10,000.00 for each day that the PEG channel is disconnected, reprogrammed or dropped.
 - (2) *Locally produced programming.* Locally produced programming shall include all programming produced by any PEG channel and shall include all programming that has not been commercially aired. "Locally produced programming" includes any program that was in part produced for original

airing in the broadcast market in which it was produced either in part or in whole. The term "locally produced" shall not require that the programming was created, filmed or produced in the McFarland or Dane County area. PEG stations may share and exchange programming content in order to meet the substantial utilization requirements of Wis. Stats. § 66.0420(5)(b).

- (f) *Underwriting of Programming.* PEG channels may transmit noncommercial programming to subscribers generally or specific recipients of video service providers or cable operators. Nothing herein shall in any way prohibit or prevent PEG channels from accepting grants or sponsorships in support of such programming nor shall PEG channels be prohibited from acknowledging such grants or sponsorships before, during or immediately after such PEG programming has been broadcast in a manner that is similar to the manner in which the Public Broadcasting System (PBS) acknowledges the substantially similar support of its programming content. Such acknowledgements shall comply with the requirements of 47 USC 399b as though the PEG channel was a public broadcast station.
- (g) *Notice of intention to move PEG channel locations/designations.* Any video service provider or cable operator who intends to move any PEG channel from the channel designations may only make such a change after providing 60 days' advance written notice to the affected PEG channel. Additionally, such video service provider or cable operator shall engage in a public education program of such intensity and duration as to reasonably inform the general public of the proposed PEG channel designations.

Sec. 2-363. - Police powers, design/construction standards and rights-of-way.

- (a) *Subject to police powers.* Video service providers and cable operators are subject to the police power of the Village to adopt and enforce general ordinances necessary to the safety, health and welfare of the public. The grant of a statewide video or cable franchise does not render or to any extent lose, waive, impair or lessen the lawful powers and rights, now or hereafter vested in the Village under the Constitution and statutes of the state to regulate the use of streets and public ways or to regulate any matter affecting the safety, health and welfare of the public. The Village shall make the video service provider's and cable operator's history of compliance with such codes and ordinances available to the Department of Financial Institutions so that the Department of Financial Institutions may determine the provider or operator's legal, financial and technical qualifications to provide video services.
- (b) *Design, permits, construction and excavation.* Video service providers and cable operators shall comply with all applicable Village codes and ordinances including, without limitation by expression herein, Section 53-122, and shall be subject to any forfeitures so specified for any violations thereof. The Village shall make the person's history of compliance with such codes and ordinances available to the Department of Financial Institutions so that the Department of Financial Institutions may determine the provider's or operator's legal, financial and technical qualifications to provide video services.

Secs. 2-364—2-373. - Reserved.

DIVISION 3. - FINANCE COMMITTEE

Sec. 2-374. - Jurisdiction.

The Finance Committee advises the Village Board on annual operating and capital budgets, municipal borrowing, fiscal policies, investment policies, and purchasing procedures.

Secs. 2-375—2-384. - Reserved.

DIVISION 4. - PARKS, RECREATION AND NATURAL RESOURCES COMMITTEE

Sec. 2-385. - Jurisdiction.

The Parks, Recreation and Natural Resources Committee advises the Village Board on the acquisition, management, enhancement, and public use of natural and conservancy areas, policies and practices directed at maintenance of a healthy and diverse urban forest, the planning, acquisition and development of parks and park facilities and the nature and structure of recreation programs.

(Ord. No. 2014-09, § 1, 5-27-2014)

Secs. 2-386—2-395. - Reserved.

DIVISION 5. - RESERVED

Secs. 2-396—2-406. - Reserved.

DIVISION 6. - PERSONNEL COMMITTEE

Sec. 2-407. - Jurisdiction.

The Personnel Committee advises the Village Board on personnel policies, changes in organization structure and classification and compensation plans.

Secs. 2-408—2-417. - Reserved.

DIVISION 7. - PUBLIC SAFETY COMMITTEE

Sec. 2-418. - Jurisdiction.

The Public Safety Committee advises the Village Board on policy issues relating to the operations of the Police Department, and the Fire and Emergency Medical Services Department, matters involving licensing and regulation, ordinances controlling public offenses and nuisances, and matters of public health.

(Ord. No. 2013-14, § 1, 11-11-2013)

Secs. 2-419—2-428. - Reserved.

DIVISION 8. - PUBLIC UTILITIES COMMITTEE

Sec. 2-429. - Composition.

The Public Utilities Committee shall consist of seven voting members, two of whom shall be Village Trustees. In addition, the Director of Public Works shall be an ex officio member of the Public Utilities Committee, without voting rights. The five citizen members shall be persons of recognized experience and qualifications.

Sec. 2-430. - Appointment.

- (a) *Village Trustee members.* The Village Trustee members of the Public Utilities Committee shall be appointed annually by the Village President subject to the approval of the Village Board at the organizational meeting of the Village Board.
- (b) *Citizen members.* The citizen members shall be appointed by the Village President, subject to Village Board approval, at the organizational meeting. The term of each citizen member shall be for a staggered term of five years, and the Village President shall annually, subject to the approval of the Village Board at its organizational meeting on the third Tuesday of April, appoint one member of the Public Utilities Committee for a term of five years. In case of vacancy, the Village President may, subject to the approval of the Village Board, at any regular or special meeting, appoint a member for the unexpired term.
- (c) *Officers.* The Village President, subject to the confirmation of the Village Board, shall select from among the Village Trustee members of the Public Utilities Committee a chairperson and vice-chairperson.

Sec. 2-431. - Meetings.

The Public Utilities Committee may make rules for its own proceedings and for the governing of the utilities. It shall keep books of account in the manner and form prescribed by the Wisconsin Public Service Commission, which shall be open to the public. The Public Utilities Committee shall have the general management and supervision of the Village water, sewer and stormwater utilities, and all matters connected therewith, and shall have the general power and authority to make rules and regulations for the management of said utilities as it shall from time to time find necessary for the safe, economical and efficient management and protection of said utilities.

Sec. 2-432. - Powers and duties.

- (a) *Finances.* The Public Utilities Committee will be responsible for preparing and recommending an annual budget to the Village Board reflecting needed expenditures and anticipated revenues, as well as preparing and modifying sewer and stormwater rates and filing water rate modification requests with the Wisconsin Public Service Commission when sound business practices deem it appropriate.
- (b) *Long-range planning.* The Public Utilities Committee shall prepare, adopt and, as necessary, amend a long-range plan projecting the needs for the Village utilities in the future, in areas of fiscal responsibility, personnel, new construction and scheduled maintenance practices.

Sec. 2-433. - Auditing expenditures.

The Village Treasurer shall provide a monthly statement to the Public Utilities Committee of the expenditures, revenues and fund balances relating to utility operations.

Sec. 2-434. - Construction.

The Public Utilities Committee shall receive reports from the Director of Public Works, who shall supervise and superintend the installation of all new machinery, wells, reservoirs, mains, transmission, collection and distribution and service pipes, as well as any repairs or reconstructions of the same or any part thereof. All work of this nature shall be let by contract under supervision of the Director of Public Works.

Sec. 2-435. - Maps and records.

The Village Engineer shall prepare maps showing the locations of all mains and service pipes ordered to be laid, with reference to the property lines of the street, court or alley in which the same are to be laid, and also with reference to the established grade of said street, court or alley. After sewer, stormwater or water mains and service pipes shall have been laid, the Village Engineer shall see to it that maps indicate the exact location of said sewer, stormwater and water mains and service pipes as actually laid. The Director of Public Works or designee shall cause a record of the exact location of said sewer, stormwater and water pipes and mains to be transcribed in record books, electronic maps or records kept on file for that purpose in the Village offices.

Sec. 2-436. - Overall responsibility.

In fulfillment of its duties, the Public Utilities Committee shall forward its recommendations relating thereto to the Village Board for final action. The Village Board may accept, reject or re-refer the recommendations of the Public Utilities Committee back to the Public Utilities Committee for further action.

Sec. 2-437. - Management, operation and control.

- (a) *Management.* The management, operation, and control of the public water system, sewer system, and storm water system for the Village shall be vested in the Village Board. All records, minutes and all written proceedings thereof shall be kept by the Village Clerk-Treasurer. The Village Clerk-Treasurer or designee shall keep all the financial records thereof.
- (b) *Construction authority.* Subject to the approval of the Village Board, the Public Utilities Committee shall have the power to construct water and sewer lines for public use, and shall have the power to lay water, stormwater and sewer pipes in and through the public alleys, streets, and public grounds located within the Village; and generally, to do all such work as may be found necessary or convenient in the management of the water, stormwater and sewer systems. The Public Utilities Committee shall have power by itself, its officers, agents and servants, to enter upon any land in the Village for the purpose of making examination or supervise in the performance of their duties under this Section, without liability therefor; and the Public Utilities Committee shall have the power to purchase and acquire for the Village subject to the approval of the Village Board all real and personal property which may be necessary for construction of the water, stormwater and sewer system, or for any repair, remodeling, or additions thereto.

(Ord. No. 2017-12, § 26, 6-26-2017)

Secs. 2-438—2-447. - Reserved.

DIVISION 9. - PUBLIC WORKS COMMITTEE

Sec. 2-448. - Jurisdiction.

The Public Works Committee advises the Village Board on policies and programs involving the maintenance and construction of Village facilities, streets and sidewalks, solid waste management and recycling, and the maintenance and acquisition of public works vehicles and equipment.

Secs. 2-449—2-458. - Reserved.

DIVISION 10. - SENIOR OUTREACH SERVICES COMMITTEE

Sec. 2-459. - Jurisdiction.

The Senior Outreach Services Committee advises the Senior Outreach Services Department on the services that it provides to residents over the age of 60 and to disabled adults. These services include outreach, case management, congregate and home delivered meal programs, foot care clinics, and education/entertainment programming.

Sec. 2-460. - Reserved.

DIVISION 11. - VOLUNTEER COMMITTEE

Sec. 2-461. - Jurisdiction.

The Volunteer Committee advises the Village Board on policies relating to a formal program to encourage volunteer participation in activities for the benefit of the Village and its residents.

(Ord. No. 2013-08, § 2, 9-9-2013)

Sec. 2-462. - Powers and duties.

- (a) The Volunteer Committee shall be persons with interest in volunteer programs for the Village and the ability to help implement and manage the Village volunteer programs.
- (b) The Volunteer Committee shall provide general oversight concerning the administration, operations and programming of the Village's volunteer program.
- (c) The Volunteer Committee shall nominate a volunteer coordinator subject to the Village Board's approval, who shall supervise and monitor volunteer work, training, leadership in volunteer activities and recognition for outstanding volunteer service to the Village.
- (d) The Volunteer Committee shall recommend to the Village Board policies that will expand the variety of

significant community service choices for volunteers and oversee recruiting of volunteers to fulfill these needs.

(Ord. No. 2013-08, § 2, 9-9-2013)

Secs. 2-463—2-480. - Reserved.

DIVISION 9. - RESOURCE CONSERVATION COMMISSION

Sec. 6-351. - Membership.

A resource conservation commission is hereby created, consisting of seven members. One member shall be an alderperson, and six shall be city residents at large, who shall serve staggered three-year terms. Each member shall have, to the highest extent practicable, a demonstrated interest in conservation of natural resources and preservation of the environment.

(Comp. Ords. 2009, § 1.43(1))

Sec. 6-352. - Powers, duties and responsibilities.

The resource conservation commission shall recommend policy, enforcement, and information programs that will implement and carry out the findings and provisions of chapter 41, solid waste and recycling, chapter 30, article II, erosion control and stormwater management, and chapter 40, article V, stormwater utility. The resource conservation commission shall also recommend policy, enforcement, and information programs that serve to promote the general preservation and improvement of the environment, including but not limited to groundwater, stormwater, waste material, energy efficiency, and climate protection.

(Comp. Ords. 2009, § 1.43(2))

Secs. 6-353—6-377. - Reserved.

electors of the City if they possess one of the foregoing degrees or professional backgrounds. Otherwise citizen members shall be resident electors of the City. A majority of the Committee may not reside within a single aldermanic district.

O1478, 11/6/18

- (b) One (1) Alderperson.
- (c) One (1) City staff member. The staff member shall act in an advisory capacity only and shall not have a vote.

(3) Appointed

Each member shall be appointed bi-annually by the Mayor and confirmed by the Common Council on the third Tuesday of April for two year terms commencing May 1 of the year of appointment. At the initial appointment only, two (2) citizen members shall be appointed for three (3) year terms for the purpose of staggering the appointment of citizen members.

2.30 SUSTAINABILITY COMMITTEE

(1) How Constituted

The Committee shall consist of ten members as follows:

- (a) Eight (8) citizen members.
- (b) One (1) Alderperson.
- (c) One high school age student, who shall be a non-voting member.

At least three of the citizen members shall possess expertise in one or more areas of sustainability.

(2) Appointment

Each member shall be appointed bi-annually by the Mayor and confirmed by the Common Council on the third Tuesday of April for two year terms commencing May 1 of the year of appointment, except that the alderperson and student members shall be appointed annually. At the initial appointment only, four citizen members shall be appointed for three year terms for the purpose of staggering the appointment of citizen members.

(3) Powers and Duties

The Sustainability Committee is hereby charged with researching and developing recommendations, guidelines and policies for consideration and approval of the Common Council to take advantage of sustainability opportunities for the City of Middleton. The Committee is further tasked to identify and/or offer educational opportunities and community events which further City of Middleton residents' knowledge and practice of sustainable actions. For these purposes, sustainability is defined as the use and development of the resources of the City of Middleton to meet community needs and aspirations and best optimize the unique nature of the community without compromising the well-being of future generations.

2.31 PEDESTRIAN, BICYCLE AND TRANSIT COMMITTEE

(1) How Constituted

The Pedestrian, Bicycle and Transit Committee shall consist of seven members.

- (a) One member shall be a City Alderperson.
- (b) One member shall be the Plan Commission Chairperson or other Plan Commission member designated by the Plan Commission.
- (c) One member shall be the Chairperson of the Public Works Committee or other Public Works Committee member designated by the Public Works Committee.
- (d) One member shall be the Chairperson of the Committee on Aging or other member of the Committee on Aging designated by the Committee on Aging.
- (e) One member shall be a representative of the Middleton-Cross Plains School District.

City of Monona, WI
Friday, March 8, 2019

Chapter 18. Boards, Commissions and Committees

Article II. Committees

§ 18-17. Committee on Sustainability.

[Added 09-20-2010 by Ord. No. 8-10-616]

- A. Composition. The Committee on Sustainability shall consist of two Council members and six citizen members. The Mayor and City Administrator or their designees shall be ex officio nonvoting members of the Committee.

[Amended 9-19-2016 by Ord. No. 9-16-682; 11-20-2017 by Ord. No. 11-17-692]

- B. Appointments.

[Amended 9-19-2016 by Ord. No. 9-16-682; 10-16-2017 by Ord. No. 9-17-689]

- (1) Council members. The Council members of the Committee shall be appointed by the Mayor, subject to confirmation by the Council. The Council members shall serve for a one-year term commencing the third Tuesday of April of each year or until their successors are appointed and confirmed by the Council. One of the Council members shall be designated by the Mayor to serve as Chairperson of the Committee.

- (2) Citizen members. The six citizen members of the Committee shall be appointed by the Mayor, subject to confirmation by the Council. The terms of the citizen members shall be three years beginning the third Tuesday of April and shall be staggered so that not more than three such appointments are made annually.

[Amended 11-20-2017 by Ord. No. 11-17-692]

- C. Duties and responsibilities. The Committee shall have the following duties and responsibilities, which shall be advisory except as otherwise provided:

- (1) To review and recommend to the Council policies and programs relating to sustainability.
- (2) To review and recommend to the Finance and Personnel Committee all budgetary, revenue and expenditure proposals relating to such policies and programs.
- (3) To perform such duties and have such responsibilities as the Council shall from time to time, by ordinance, resolution or by law, direct.



VILLAGE BOARD SUMMARY SHEET

MEETING DATE: Monday, March 25, 2019

SECTION: Business

DEPARTMENT: Administration

CONTACT: Matt Schuenke, Village Administrator

AGENDA ITEM: Discussion regarding resolution 2019-XX: a resolution for the Village of McFarland to join the Green Tier Legacy Community Program through the Wisconsin Department of Natural Resources.

PREVIOUS ACTION:

The Committee last discussed this issue at their meeting on January 14, 2019.

The Village Board received a presentation from the DNR on this topic at its meeting on January 25, 2019.

ISSUE SUMMARY:

At a previous Village Board meeting, Trustee Clow requested further discussion regarding the Village joining the Green Tier Legacy Community Program. The first step in joining this program is adoption of the enclosed resolution. This resolution was drafted using a template provided by the DNR and updated for the Village purposes.

FINANCIAL/BUDGET IMPACT:

Joining the program will likely have some undetermined administrative costs to meet our participation obligation. This can be allocated appropriately within existing operating budgets. The key determining factor beyond this will be Staff assignment and to what extent elements of the program are implemented which could range in costs.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Presented for further discussion and consideration as to whether or not the Village should join the program.

ATTACHMENTS:

1. 2019-XX - Resolution to Join Green Tier Legacy Community Program



RESOLUTION #2019-XX
RESOLUTION APPROVING PARTICIPATION IN THE WISCONSIN DEPARTMENT
OF NATURAL RESOURCES GREEN TIER LEGACY COMMUNITY PROGRAM.

WHEREAS, the Wisconsin Department of Natural Resources in partnership with the League of Wisconsin Municipalities, 1,000 Friends of Wisconsin, Wisconsin Energy Conservation Corp, Center on Wisconsin Strategy, Wisconsin Counties Association and the cities of Appleton, Bayfield, Fitchburg, Middleton, Ashland, Monona, Eau Claire, Bayside, Port Washington, Sheboygan, La Crosse and the Village of Weston have created a Green Tier Charter For Legacy Communities with goals of:

1. To assist (municipalities, counties) in achieving superior environmental performance in one or both of the following two areas: (1) water resource management; (2) sustainability practices; and goals relating to economic development, public health and social equity; and to recognize their efforts and progress;
2. To improve the quality of life and economic vitality of communities;
3. To help (municipalities, counties) and the Wisconsin Department of Natural Resources address wastewater, stormwater, drinking water, wetlands and other water issues in a holistic, watershed-based manner;
4. To assist (municipalities, counties) in preparing, implementing, and improving an overall watershed plan(s) that integrates the municipality's full range of water resources issues;
5. To assist (municipalities, counties) in preparing, implementing and improving over time a sustainability plan that reduces a (municipality's, county's) impact on the environment;
6. To facilitate access to state and federal funding for projects and activities related to achieving the purposes of this charter, such as energy efficiency, renewable energy, greenhouse gas reductions, comprehensive planning, transportation policies, and integrated planning for wastewater treatment, storm water treatment and management; and drinking water;
7. To realize taxpayer savings through reduced municipal expenditures on motor vehicles fuels and energy resulting from efficient development patterns;
8. To help (municipalities, counties) comply with various water regulations in a more efficient, cost effective and flexible manner;
9. To achieve other demonstrable and measurable environmental improvements beyond what is required by local, state, or federal law; and

WHEREAS, the Village of McFarland was invited to join in this voluntary program and believe participation will further enhance the Village’s current commitments to sustainability, and

WHEREAS, the Village of McFarland will benefit from such a partnership with the Green Tier Legacy Communities Program by receiving positive recognition, gaining access to a DNR staff liaison and their resource team, receiving prioritization in applying for certain grants and streamlining in certain DNR permitting processes, and

WHEREAS, by adopting this resolution the Village of McFarland agrees to sign and hold to the Green Tier Charter for Legacy Communities. The Village will participate in the quarterly meetings, networks and share information with our public and the communities in the program, and provide an annual report noting the progress in our goals, baselines and sustainability plans.

NOW, THEREFORE, BE IT RESOLVED, the Village Board of the Village of McFarland declares itself a signatory to the Green Tier Charter for Legacy Communities and authorizes the Village President, Village Administrator, and Village Clerk/Treasurer to execute the necessary documents on behalf of the Village Board, and

BE IT RESOLVED, that Village Staff are directed to assist with meeting the Charter goals and to submit an annual report to the Organizational Signatories, and

BE IT RESOLVED, that upon adoption, the Village Clerk/Treasurer is hereby directed to send a copy of this resolution to the Wisconsin DNR and the Legacy Communities Green Tier Steering Committee.

The above and foregoing Resolution was duly adopted at a regular meeting of the McFarland Village Board on the XX day of XXXX, 2019.

APPROVED:

Brad Czebotar, Village President

ATTEST:

Cassandra Suettinger, Village Clerk/Treasurer

RESOLUTION # 2019-XX	
MOTION	SECOND
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Adrian –	Kolk –
Brassington –	Lytle –
Clow –	O’Hearn –
Czebotar –	
VOTING RESULTS	
Motion Carried	
Motion Defeated:	