VILLAGE OF MCFARLAND

Village Board Minutes

Monday, February 24, 2020 - 7:00 PM

1. CALL TO ORDER.

Village President Czebotar called the regular meeting of the McFarland Village Board to order at 7:00 pm in the Community Room of the McFarland Municipal Center.

2. ATTENDANCE/ROLL CALL.

Village Board members present: Village Trustee Jerry Adrian, Village Trustee Stephanie Brassington, Village President Brad Czebotar, Village Trustee Dan Kolk, Village Trustee Eric Kryzenske, Village Trustee Clair Utter.

Village Board members not present: Village Trustee Mary Pat Lytle.

Staff Present: Administrator Matt Schuenke, Clerk/Treasurer Cassandra Suettinger, Police Chief Craig Sherven, Community and Economic Development Director Andrew Bremer, Public Works Director Jim Hessling and Fire/EMS Director Chris Dennis.

3. PUBLIC ANNOUNCEMENTS AND COMMUNICATIONS.

a. *Public Announcements*

1) *Spring Primary Results*

b. *Public Communications*

President Czebotar reminded the Public about the final strategic plan workshop to be held on March 3rd at 7 p.m. in the Community Room.

4. CONSENT AGENDA.

a. *Motion to approve the minutes from the meeting held on February 10, 2020.*

b. *Motion to approve pre-paid checks #76376-76392 in the amount of $2,665,530.19 and current checks #76393-76490 in the amount of $178,557.04.*

c. *Motion to approve appointing Pauline Beverley-Boness to serve as Election Inspector for the 2020-2021 term.*

d. *Motion to approve an event permit Team 608 LLC. to hold the 608 Fox Trot Run on May 9, 2020 as recommended for approval by the Public Safety Committee.*
Motion by President Brad Czebotar, second by Trustee Jerry Adrian, to approve item a of the consent agenda as amended. Motion carries 5 - 0 - 1 by acclamation with Trustee Eric Kryzenske abstaining.

Motion by President Brad Czebotar, second by Trustee Jerry Adrian, to approve items b - d of the consent agenda. Motion carries 6 - 0 - 0 by acclamation.

5. PUBLIC APPEARANCES.

a. *This is an opportunity for members of the public to address the Village Board. Members of the public who wish to address the board should fill out a public comment form and turn into the meeting chairperson. Members of the public may speak during public appearances or during their selected agenda item as they designate on the public comment form. Please adhere to the 3-minute time limit.*
None.

6. BUSINESS.

a. *Parks, Recreation, and Natural Resources Committee (Trustees Kolk & Utter)*

1) *Discussion and action regarding a project to expand and regrade portions of the dog park.*
Trustee Dan Kolk provided an overview of the request to expand and regrade portions of the dog park. He reported the Parks, Recreation and Natural Resources Committee recommended the item for approval.

Motion by Trustee Dan Kolk, second by President Brad Czebotar, to authorize the project to expand and regrade portions of the dog park from Moll Construction in the amount of $38,277.50. Motion carries 4 - 2 - 0 by acclamation with Trustee Eric Kryzenske and Trustee Clair Utter voting nay.

2) *Discussion and action regarding a proposal for Architectural Services in order to design and bid the construction of a shelter/bathroom facility at the Dog Park.*
Trustee Kolk provided an overview of the item and request to construct a shelter/bathroom facility at the dog park. Additionally, he reported the Parks, Recreation and Natural Resources Committee recommended approval of the item.

Motion by Village Trustee Dan Kolk, second by Village Trustee Stephanie Brassington, to authorize a proposal for Architectural Services in order to design and bid the construction of a shelter/bathroom facility at the Dog Park. Motion carries 4 - 2- 0 by acclamation with Trustee Eric Kryzenske and Trustee Clair Utter voting nay.

3) *Discussion and action regarding a proposal for Architectural Services in order to design and bid the construction of the bathroom facility addition and second open air shelter at McDaniel Park.*

Trustee Kolk reported that the proposal for a bathroom facility addition and second open air shelter at McDaniel park is a continuation of the improvements that were part of the master plan approved in 2017. He additionally reported that the Parks, Recreation and Natural Resource Committee recommended approval of the item.

Motion by Trustee Dan Kolk, second by Trustee Brassington, to authorize a proposal for Architectural Services in order to design and bid the construction of the bathroom facility addition and second open air shelter at McDaniel Park. Motion carries 4 - 2 - 0 by acclamation with Trustee Eric Kryzenske and Trustee Clair Utter voting nay.

b. *Parks, Recreation, and Natural Resources Committee (Trustee Kolk & Utter)*
Plan Commission (President Czebotar & Trustee Kolk)

1) *Discussion and action regarding Ordinance 2020-08: an ordinance to amend the municipal code concerning park impact fees, parkland dedication and fees in lieu of parkland dedication.*

Motion by President Brad Czebotar, second by Trustee Dan Kolk, to adopt Ordinance 2020-08: an ordinance to amend the municipal code concerning park impact fees, parkland dedication and fees in lieu of parkland dedication. Motion carries 5 - 1 - 0 by acclamation with Trustee Clair Utter voting nay.

c. *Plan Commission (President Czebotar & Trustee Kolk)*
Public Utilities Committee (Trustees Lytle & Kryzenske)

1) *Discussion and action regarding an application to the Capital Area Regional Planning Commission to expand the Village's east side Urban Service Area Boundary.*

President Czebotar reported on expansion of the east side Urban Service Area boundary and the Plan Commission's recommendation for approval. Trustee Eric Kryzenske reported the Public Utilities Committee recommended approval of the item as well.

Motion by Village President Brad Czebotar, second by Village Trustee Eric Kryzenske, to approve an application to the Capital Area Regional Planning Commission to expand the Village's east side Urban Service Area Boundary. Motion carries 5 - 0 - 1 by acclamation with Trustee Clair Utter abstaining.

d. *Public Safety Committee (Trustees Adrian & Brassington)*

1) *Discussion and action regarding Ordinance 2020-05: an ordinance to establish Section 38-38 of the Municipal Code prohibiting unlicensed massage therapy.*

   Trustee Jerry Adrian provided a report from the Public Safety Committee to recommend approval of ordinance 2020-05 regarding unlicensed massage therapy.

   Motion by Village Trustee Jerry Adrian, second by Village Trustee Stephanie Brassington, to adopt Ordinance 2020-05: an ordinance to establish Section 38-38 of the Municipal Code prohibiting unlicensed massage therapy. Motion carries 5 - 1 - 0 by acclamation with Trustee Clair Utter voting nay.

2) *Discussion and action regarding a Resolution 2020-05: a resolution adopting a bond schedule for violations of section 38-38 of the McFarland Municipal Code.*

   Motion by Village Trustee Jerry Adrian, second by Village Trustee Stephanie Brassington, to adopt Resolution 2020-05: a resolution adopting a bond schedule for violations of section 38-38 of the McFarland Municipal Code. Motion carries 5 - 1 - 0 by acclamation with Trustee Clair Utter voting nay.

3) *Discussion and action regarding Ordinance 2020-10: An ordinance updating fees for direct seller's permits.*

   Motion by Trustee Jerry Adrian, second by Stephanie Brassington, to adopt Ordinance 2020-10: An ordinance updating fees for direct seller's permits. Motion carries 6 - 0 - 0 by acclamation.

4) *Discussion and action to authorize the Police Department to make application to the COPS Hiring Grant.*

   Trustee Adrian provided a report from the Public Safety Committee. He reported while chances of getting the grant are slim, there is still potential to receive funds. The Public Safety Committee declined to make an official recommendation to the Village Board on the item. The Committee did not want application to the grant to commit the Village to funding the position.

   Chief Sherven provided additional information on the COPS hiring grant and clarified that if the grant were awarded, the Village could decline the grant if it decided it did not want to fund the position.

   Trustee Utter left the meeting at 7:40 p.m. and was not present for the vote on this item.

   Motion by Trustee Jerry Adrian, second by Trustee Stephanie Brassington, to authorize the Police Department to make application to the COPS Hiring Grant. Motion carries 5 - 0 - 0 by acclamation.

e. *Public Utilities Committee (Trustees Lytle & Kryzenske)*

1) *Discussion and action regarding a proposal from the Village Engineer to design the east side interceptor within the Sanitary Sewer System.*

Trustee Eric Kryzenske reported on the discussion from the Public Utilities Committee regarding designing the east side interceptor within the sanitary sewer system. The project is necessary to allow for growth on the east side of the Village. Work would be done likely Winter of 2020 to be in place for further growth yet not disrupt wetlands.

Trustee Utter returned for discussion on this item.

Motion by Trustee Eric Kryzenske, second by Trustee Clair Utter, to accept a proposal from the Village Engineer to design the east side interceptor within the Sanitary Sewer System. Motion carries 5 - 0 - 1 by acclamation with Trustee Clair Utter abstaining.

2) *Discussion and action regarding a proposal to conduct maintenance at Well #4 located at Egner Park.*

Motion by Trustee Eric Kryzenske, second by Trustee Clair Utter, to approve a proposal to conduct maintenance at Well #4 located at Egner Park in an amount not to exceed $13,650. Motion carries 6 - 0 - 0 by acclamation.

3) *Discussion and action regarding a lease amendment with US Cellular for their use of the Indian Mound Park Water Tower to mount cellular communications equipment.*

Motion by Trustee Eric Kryzenske, second by Trustee Stephanie Brassington, to approve the lease amendment with US Cellular for their use of the Indian Mound Park Water Tower to mount cellular communications equipment. Motion carries 6 - 0 - 0 by acclamation.

4) *Discussion and action regarding adjustments to sanitary sewer rates.*

Village Administrator Schuenke reported Town & Country conducted a study on the sanitary sewer rates, and concluded that revenues are not trending high enough with expenses. A 22% increase is recommended to close the gap between revenues and expenses. Trustee Eric Kryzenske reported the Public Utilities Committee recommended approval of the sanitary sewer rate increase.

Motion by Trustee Eric Kryzenske, second by Trustee Stephanie Brassington, to approve an adjustment to sanitary sewer rates to 22% on variable and fixed charges and including replacement funds. Motion carries 6 - 0 - 0 by acclamation.

f. *Discussion and action regarding an Intergovernmental Agreement for the Madison Area Municipal Storm Water Partnership (MAMSWaP).*

Village Administrator Schuenke provided an overview of the proposed intergovernmental agreement for MAMSWaP. He reported the partnership helps pool resources to meet requirements of the state storm water permit which includes education efforts.

Motion by President Brad Czebotar, second by Trustee Clair Utter, to approve an Intergovernmental Agreement for the Madison Area Municipal Storm Water Partnership (MAMSWaP). Motion carries 6 - 0 - 0 by acclamation.

g. *Authority, Board, Commission, and Committee agenda item requests, referrals, and updates.*
None.

7. CLOSED SESSION.

a. *Discussion and action to convene into Closed Session in accordance with Wis. Stats. 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically regarding a filed lawsuit by the City of Madison against the Village of McFarland concerning lands previously annexed from the Town of Blooming Grove.*
Motion by Village President Brad Czebotar, second by Village Trustee Dan Kolk, to convene into Closed Session in accordance with Wis. Stats. 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically regarding a filed lawsuit by the City of Madison against the Village of McFarland concerning lands previously annexed from the Town of Blooming Grove at 8:00 p.m. Motion carries 5 - 1 - 0 on a roll call vote: Adrian-aye, Brassington-aye, Czebotar-aye, Kolk-aye, Kryzenske-aye, and Utter-nay.

b. *Discussion and action to reconvene into Open Session.*
Motion by Village Trustee Clair Utter, second by Village Trustee Dan Kolk, to reconvene into Open Session. Motion carries 6 - 0 - 0 by acclamation.

8. ADJOURNMENT.
Motion by Trustee Clair Utter, second by Trustee Jerry Adrian, to adjourn at 8:56 p.m.

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,
Cassandra Suettinger
Village Clerk/Treasurer