

Committee of the Whole

Monday, January 24, 2022

5:30 PM

McFarland Municipal Center
Community Room

AGENDA

You are invited to this meeting through a Zoom webinar. The public is strongly encouraged to watch and participate in these meetings remotely through either the webinar or telephone options listed below.

PLEASE CLICK THE LINK BELOW TO JOIN THE ZOOM WEBINAR:

<https://us02web.zoom.us/j/83785817519>

Or by Telephone: +1 (312) 626-6799

Webinar ID: 837 8581 7519

Press *9 to raise/lower hand. Press *6 to mute/unmute.

1. CALL TO ORDER.
2. ATTENDANCE/ROLL CALL.
3. PUBLIC APPEARANCES.
 - a. This is an opportunity for members of the public to address the Committee of the Whole. Please remember this is a virtual meeting conducted through the Zoom online meeting platform. Zoom meeting attendees wishing to address the board may do so using the Question and Answer feature within the Zoom online meeting platform. You may state your name, address, and provide your comments to the board for their consideration. Members of the public who are present in person and 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. Additionally, you may send your public comments to cassandra.suettinger@mcfarland.wi.us to be included as part of the meeting.
4. APPROVAL OF MINUTES.
 - a. Discussion and action regarding minutes of the meeting held on January 10, 2022.
5. BUSINESS.
 - a. Public input regarding proposed code changes regarding the Board, Commission, and Committee Restructuring Project.
 - b. Discussion and review of proposed code changes regarding the Board, Commission, and Committee Restructuring Project.
 - c. Discussion regarding remaining schedule for the Board, Commission, and Committee Restructuring Project.
6. SCHEDULE NEXT MEETING DATE.
 - a. Monday, February 14, 2022 at 5:30 pm.

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, January 10, 2022 - 6:00 PM

1. CALL TO ORDER.

President Clow called the Committee of the Whole meeting of the Village Board to order at 6:00 PM in Conference Room A.

2. ATTENDANCE/ROLL CALL.

Village Board members present: Village Trustee Stephanie Brassington, Village President Carolyn Clow, Village Trustee Michael Flaherty, Village Trustee Justin Rupert, Village Trustee Edward Wreh, Village Trustee Carrie Nelson, Village Trustee Chris St. Clair

Village Board members not present: None.

Staff Present: Administrator Matt Schuenke and Clerk/Treasurer Cassandra Suettinger

3. PUBLIC APPEARANCES.

- a. This is an opportunity for members of the public to address the Committee of the Whole. Please remember this is a virtual meeting conducted through the Zoom online meeting platform. Zoom meeting attendees wishing to address the board may do so using the Question and Answer feature within the Zoom online meeting platform. You may state your name, address, and provide your comments to the board for their consideration. Members of the public who are present in person and 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. Additionally, you may send your public comments to cassandra.suettinger@mcfarland.wi.us to be included as part of the meeting.*

None.

4. APPROVAL OF MINUTES.

- a. Discussion and action regarding the minutes of the meeting held on December 13, 2021.*
Motion by Village President Carolyn Clow, second by Village Trustee Justin Rupert, to approve the minutes of the meeting held on December 13, 2021. Motion carries 7 - 0 - 0 by acclamation.

5. BUSINESS.

- a. Discussion and review of proposed code changes regarding the Board, Commission, and Committee Restructuring Project.*

Village Administrator Schuenke introduced proposed code changes regarding the Board, Commission, and Committee Restructuring Project. He noted a public hearing would be held on the proposed changes to the Board, Commission, and Committee structure, after which, the Board would start its review of the proposed changes. He noted all standing Board, Committee, Authority and Commission members would be invited to attend the meeting to provide their input.

- b. Discussion and review of Village Board annual work plan.*

President Clow introduced a draft work plan for the Village Board. She reported she would like to see the Board establish a work plan that it would follow every year. She noted the Board would work on shaping the content of the plan in the coming months, but wanted to introduce the idea for Board members to begin thinking about.

c. Discussion regarding remaining schedule for the Board, Commission, and Committee Restructuring Project.

Village Administrator Schuenke outlined the remaining schedule for the Board, Commission and Committee Restructuring Project.

6. SCHEDULE NEXT MEETING DATE.

a. Monday, January 24, 2022 at 5:30 pm.

7. ADJOURNMENT.

Motion by Village Trustee Stephanie Brassington, second by Village Trustee Michael Flaherty, to adjourn at 6:53 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

**VILLAGE OF
McFarland
SUMMARY SHEET**

MEETING DATE: Monday, January 24, 2022

SECTION: Business

DEPARTMENT: Administration

CONTACT: Matt Schuenke, Village Administrator

AGENDA ITEM: Public input regarding proposed code changes regarding the Board, Commission, and Committee Restructuring Project.

PREVIOUS ACTION:

The Village Board took action to set the process at its meeting on September 13, 2021 which included this step to further gather public input.

ISSUE SUMMARY:

This agenda item is an opportunity for members of our Boards, Commissions, and Committees to provide input on the restructuring project that has been worked on to date. All of our members were provided the initial process on or around September 17, 2021 and provided an opportunity to submit feedback at that time (some people did as we saw). Additionally, the process outlined an opportunity for members to address the board directly beyond the feedback submitted and public meetings previously held. All members were again notified on Friday, January 14, 2022 to make them aware of the specific code changes we looked at on January 10th and give them a chance to again provide comment on what is proposed. This is not as formal as a public hearing and simply a chance for those that are interested to provide comment no different than what we experience through public appearances.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

No action on this item.

ATTACHMENTS:

None

McFarland
SUMMARY SHEET

MEETING DATE: Monday, January 24, 2022

SECTION: Business

DEPARTMENT: Administration

CONTACT: Matt Schuenke, Village Administrator

AGENDA ITEM: Discussion and review of proposed code changes regarding the Board, Commission, and Committee Restructuring Project.

PREVIOUS ACTION:

The initial worksheet listing all of the code changes was introduced to the Committee of the Whole at its meeting on January 10, 2022.

ISSUE SUMMARY:

Please find enclosed within your packet an updated worksheet listing the ordinance changes previously discussed regarding the Board, Commission, and Committee Restructuring Project.

This is the same document that was presented on January 10th, but with the following additions (changes highlighted in yellow within the attached worksheet):

- **Section 2-187(b)** - This subsection was previously proposed to be struck. This is updated to keep the subsection but revise it to be more clear what the participation of the President and Administrator is limited to within our Standing Committees. Previously it was listed as "ex-officio" providing the ability of each individual to count towards the quorum and have the ability to vote (which has never been used in that manner). The changes clarify these issues changing their roles to non-voting and not counting towards the quorum while maintaining their ability to be a part of the meeting.
- **Section 2-192(b)** - This continues to be proposed for removal. It is continued to be insisted that the present language limits dialogue from both the majority and the minority on an issue coming from Committee. Protecting these interests on both sides of an item is important and presently addressed in our meeting process. Village Staff will always under all circumstances report the action of a Committee. We do that now and whatever a Committee decides regardless of the actions of a Trustee on that Committee, that action will be reported. Public Appearances grants anyone the ability to speak to an item on the agenda, for or against. Trustees may speak against an item from Committee, but they will report the actions taken by Committee otherwise Staff will and routinely does as part of the reporting process.
- **Section 2-284** - This incorporates the changes previously reviewed regarding the Landmarks Commission.
- **Section 2-313** - This incorporates the changes previously reviewed regarding the Plan Commission.
- **Section 2-398 (Sustainability and Natural Resources Committee)** - Forestry responsibilities from Chapter 59 has been consolidated within Chapter 2 based on



feedback from our last meeting.

- **Section 59-19(c)(4)** - Responsibilities within this Chapter will link back to Chapter 2 regarding the Committee's role in this section of the code.

All other changes presented are the same as they were provided at the previous meeting. Please note the following summary provided below not otherwise addressed above in the updates. This is the same information that was provided at the previous meeting on January 10th:

- **Section 2-155** - By Statute we need to establish a regular time in which we are planning to meet. Previously this has been on the second and fourth Monday of each month. It was proposed at the last meeting to move this to the Second and Fourth Tuesday of each month to provide for a more efficient schedule. The change to Tuesday is shown in the attachment.
- **Section 2-163(a)(1)** - The deadline for submitting an item for the Village Board meeting is administrative in nature. The Village Board should set deadlines and expectations for when the packet should be released and available, and then staff has to align Village Board items appropriately based on that deadline and whether not an item is ready to move forward. The change provides the Village with fluidity to ensure it can be responsive to issues as they arise.
- **Section 2-163(c)** - The changes to this section are meant to align the code to current practice.
- **Section 2-192(b)** - This is a seldom used section of the code that requires Village Board members to file a "minority report" prior to speaking on an item from Committee that they voted against. Without it, they are only to report on the action of the Committee and by code not further allowed to discuss the contrary. Action of the Committee is to be reported to the board regardless of the vote at Committee by board members. Staff will always provide this information to the Village Board as it happens. Additionally, Committee members are free to address the board on agenda items of relevance as they desire. The intent of this code was to ensure the action of the Committee was properly represented by board members that voted against that action. Going forward, there are ways to manage that process without the need for this requirement.
- **Section 2-347(8)** - The Diversity, Equity, and Inclusion Committee is created here under this index. Currently being held as a placeholder at the present and once the board has advanced the essential functions we will build it into the code within this area.
- **Division 2 (Communications and Technology Committee)** - It was previously desired by the Village Board to strike this Committee going forward and the enclosed code draft accomplishes that. However, there is a lot of language built into this section that is also deleted not related to the Committee. However, this language is redundant and duplicative as it also exists under Chapter 47, Article VII so its deletion here is perfectly acceptable as it already has a place in the code elsewhere.

At the last meeting, we discussed changing the Village Board meeting dates to the second and fourth Tuesday of each month. There was general support for this move and as such, within your packet is an updated proposed schedule building the whole month around that concept.



Please note the following assumptions made when preparing this schedule:

- Village Board meetings on the second and fourth Tuesday of each month. Plan Commission on the Third Tuesday of each month. These are considered anchors, whereas other groups likely have some flexibility other than trying to maintain the assumptions listed below.
- Red labeled groups flow to the first meeting of the month, and blue labeled groups flow to the second meeting of the month. We have an odd number, but about half flow to one meeting versus the other.
- Each Department will, in theory, be responsible for only one meeting per week to manage. Sustainability and Natural Resources Committee is an exception to this, but its work likely falls on two Departments from meeting to meeting.
- Staggered so that Staff would only have to attend one Village Board meeting per month. Might be times where they have to come to both in a month, and other times none but the schedule sets up the expectation of attending at least one.
- Agendas and packets would be released on Thursday. The meeting management process will be addressed within the Handbook.
- Thursday nights going forward would remain open nights with no regularly scheduled meetings. This hopefully creates the expectation for a free night for all involved but can be used for special meetings or groups that do not need to meet on a regular basis.

The full schedule proposal is submitted for additional review and discussion as we continue to work on the final details of the project. This will be incorporated into the Handbook that Staff is working on releasing to the board next month. Village Staff related to meeting management is also reviewing this and all comments provided will be considered to finalize the schedule next month.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

The work presented in the attachment is the culmination of many reviews and discussions taken place by the Village Board. This meeting is meant to further that review and conduct any final discussion on what is proposed. Additionally, we may have additional public input to consider in these changes. There is no action on this item as we consider these changes and discuss what is presented.

ATTACHMENTS:

1. Committee Restructuring Ordinance Worksheet 01212022 adr



2. Proposed Schedule 01192022 mgs

Chapter 2 – ADMINISTRATION

[Please click on this link to view the Village Code of Ordinances for this Chapter.](#)

Sec. 2-155. - Regular meetings.

Regular meetings of the Village Board shall be held on the second ~~Monday-Tuesday~~ and fourth ~~Monday-Tuesday~~ of each month at 7:00 p.m. If such second or fourth ~~Monday-Tuesday~~ is a legal holiday, the meeting shall be held on the following secular day at the same time and place, or at such other date and time as the Village Board shall designate. When the Village Board designates a date and time for the regular Village Board meeting, notice thereof shall be posted at the McFarland Municipal Center and in the official Village newspaper prior to such re-scheduled meeting date. All meetings of the Village Board shall be held at the McFarland Municipal Center, unless specified otherwise in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least three hours prior to any meeting. In any event, all regular Village Board meetings shall be held within the boundaries of the Village.

Sec. 2-163. Meeting agendas; order of business.

(a) *Agenda.*

- (1) The ~~order-conduct~~ of business at all regular or special meetings shall be according to the agenda prepared and properly posted by the Village Clerk-Treasurer. ~~All matters to be presented at a Village Board meeting shall be filed with the Village Clerk-Treasurer no later than 4:30 p.m. on the Wednesday preceding the scheduled regular Village Board meeting to enable the Village Clerk-Treasurer to prepare the agenda and all attachments and distribute them to the Village Board. Matters filed after 4:30 p.m. on the Wednesday preceding the Village Board meeting will not be placed upon the agenda, unless authorized by the Village President or the Village Administrator for good cause shown. The Clerk-Treasurer may establish reasonable policies for the submission of materials for inclusion on the agenda in order to afford Board members a reasonable period of time to review such materials in advance of the Board meeting.~~
- (2) A submitting department shall include copies of all material necessary to consider the agenda item.
- (3) The Village President shall advise the Village Clerk-Treasurer whether to include an item on the agenda, except that the Village Trustees calling a special meeting shall decide which items shall be first considered at such special meeting.
- (4) The Village Clerk-Treasurer shall afford the Village Trustees and Village Attorney maximum reasonable notice of agenda items as each situation allows.

- (b) *Index number.* Prior to action thereon, the Village Clerk-Treasurer shall assign to each ordinance and resolution a chronological index number which shall be maintained by the Village Clerk-Treasurer. ~~The end product thereof shall be designated "Proceedings of the McFarland Village Board," which shall be maintained by the Village Clerk-Treasurer.~~
- (c) *Order of business.* Generally, the following order of business may be observed in the conduct of all regular Village Board meetings.
- (1) Call to order.
 - (2) Roll call.
 - (3) Public Announcements, ~~proclamations~~, Communications, and Proclamations
 - (4)(5) Consent agenda.
 - (5)(4) Public appearances.
 - (6)(3) Public hearings (if needed).
 - (6) Reports.
 - (7) Business.
 - (8) Closed Session (if needed).
 - (9) Reconvene into Open Session.
 - (10) Action on items discussed in Closed Session (if needed).
 - (101)(8) Adjournment.
- (d) *Order to be followed.* No business shall be taken up out of order unless authorized by the Village President or by majority ~~consent vote~~ of all the Village ~~Trustees Board~~ and in the absence of any debate whatsoever.

Sec. 2-164. Introduction of business; resolutions and ordinances; disposition of communications.

- (a) *Ordinances.* All ordinances and resolutions shall be prepared as follows:
- (1) Each ordinance shall include a note stating the purpose thereof prepared by the sponsor. All ordinances submitted to the Village Board shall be in writing and shall include at the outset a brief statement of the subject matter and a title.
 - (2) The sponsor of an ordinance may be the Village President, one or more Village Trustees, ~~the Village Administrator,~~ a department head or a ~~committee,~~ board, committee or commission. The ~~Village Clerk-Treasurer or the~~ Village Attorney may sponsor ordinances when changes in state law make it necessary or desirable for the Village to act rapidly.

[Revisor Note: Clerk-Treasurer is a department head, so deletion does not modify current ordinance]

REPEAL DIVISION HEADINGS FOR CH 2, ART. V

1 **Sec. 2-183. - Composition.**

2
3 (a) Commissions and Boards. The composition of each statutorily authorized Village authority,
4 board, committee and commission shall be as set forth in Article IV.

5
6 (b) Standing Committees. ~~Except as provided in sub. (c), each standing committee shall be~~
7 ~~comprised of seven (7) members, two (2) of whom shall be Village Trustees and five (5) shall~~
8 ~~be citizen members. The composition of each standing committee shall be no less than five~~
9 ~~members and shall include one Village Trustee to serve as chairperson and one Village Trustee~~
10 ~~to serve as vice chairperson and not less than three citizen members, the only exception being~~
11 ~~the Public Utilities Committee which shall have five citizen members.~~

12
13 (c) Personnel and Finance Committees. The Personnel Committee and Finance Committee shall
14 each be comprised solely of three (3) Village Trustees.

15
16 **Sec. 2-184. - Residency required for service on statutorily authorized authorities, boards,**
17 **committees, commissions, and standing committees.**

18
19 No person not a resident of the Village shall be appointed in a voting capacity to any ~~statutorily~~
20 ~~authorized~~ Village ~~authority~~, board, ~~committee~~, commission, or ~~standing~~ committee other than the
21 Library Board. Any member of such ~~authority~~, board, ~~committee~~, commission, or ~~standing~~
22 committee who moves from the Village shall be removed from such body, but may be appointed
23 to serve in ~~an ex officio~~ a non-voting capacity.

24
25 [Revisor Note: Changes for conciseness and to clarify assumed intent of “ex officio” membership. No
26 substantive change intended]

27
28 **Sec. 2-185. - Appointments and Term.**

29
30 (a) Appointment Authority. ~~All regularly occurring vacancies on each statutorily authorized~~
31 ~~authority, board, committee, commission, and standing committee~~ members of Village boards,
32 commissions and committees shall be ~~filled by appointment~~ appointed by of the Village
33 President, subject to confirmation by the Village Board, ~~except where a different procedure is~~
34 ~~specified by ordinance, including but not limited to:~~

35
36 (1) ~~Article IV, Division 8 of this Chapter—Library Board; and~~

37
38 (2) ~~Article IV, Division 9 of this Chapter—Plan Commission.~~

39
40 [Revisor Note: Changes intended for conciseness. No substantive change intended.]

41
42 (b) Time of Appointments. Appointments to each board, commission and committee ~~statutorily~~
43 ~~authorized authority, board, committee, commission, and standing committee~~ shall be made at
44 the annual meeting of the Village Board in April, or as soon thereafter as ~~possible~~ practicable,
45 and at such other times as vacancies may occur.

46
47 [Revisor Note: Changes intended for conciseness and clarity. No substantive change intended.]

1 (c) Term of Office. Each Village Board member appointed to a standing committee shall serve for
2 a term of 1 year commencing on the third Tuesday in April in the year of appointment. Citizen
3 members of standing committees shall serve a term of 2 years commencing on the Third
4 Tuesday in April in the year of appointment. Notwithstanding the foregoing, for standing
5 committee appointments made after May 1, 2021, the Village President shall designate 2
6 citizen members for appointment to initial terms of 1 year if necessary to establish staggered
7 terms for citizen members of the committee. All members of standing committees shall
8 continue to serve until their successors are appointed and confirmed.

9
10 ~~(e)The chairperson of each standing committee shall promptly submit to the Village President~~
11 ~~a list of persons proposed to fill any citizen member vacancies or reappointments and the~~
12 ~~Village President shall generally make appointments or re-appointments from that list, subject~~
13 ~~to confirmation by the Village Board.~~

14
15 **Sec. 2-186. - President to designate chairpersons.**

16
17 The Village President shall appoint the chairperson of the statutorily authorized authorities, boards,
18 committees, and commissions, ~~and standing committees~~ in accordance with the procedures set
19 forth in the appropriate ordinances and statutes, except that the members of the Board of Review,
20 Community Development Authority, Ethics Board, Library Board, and Police and Fire
21 Commission shall select their own chairperson and such other officers as deemed necessary. At
22 the time of appointment, the Village President shall designate from among the Trustees appointed
23 to each standing committee a chairperson and vice-chairperson for the committee.

24
25 **Sec. 2-187. - Committee membership.**

26
27 (a) All Village Trustees shall serve on at least one standing committee.

28
29 (b) The Village President and Village Administrator shall be *ex officio* **non-voting** members of
30 each standing committee **but shall not be counted in determining a quorum.**

31
32 (c) The Village President may be appointed to serve as chairperson, vice-chairperson or as a
33 member of a specific committee as one of the Trustee members.

34
35 (d) No person other than a Village Trustee shall serve on more than two (2) Village boards,
36 commissions and committees at the same time **except when serving in an *ex officio* capacity.**

37
38 **Sec. 2-188. - Attendance.**

39
40 The ~~chairperson of each statutorily authorized authority, board, committee, commission, and~~
41 ~~standing committee~~ Village Clerk-Treasurer, or designee, shall maintain a record of the attendance
42 of the members at meetings of all appointed boards, commissions and committees. Any member
43 who ~~must miss~~ will be absent from a meeting shall give prior notice of the absence to the
44 chairperson. Failure to attend regularly scheduled meetings four times in any year, commencing
45 from the annual organizational meeting, shall be deemed to be an event by which the member or
46 chairperson vacates the position to which the member ~~or chairperson~~ was appointed. The Village

1 Clerk-Treasurer shall ~~provide written notice of such vacancy to notify the chairperson of any~~
2 ~~vacancies created by absences, and confirm the vacancy in writing to the former member, the~~
3 ~~appropriate~~ chairperson, and the Village President. This section shall not apply to *ex officio*
4 members.

5
6 **Sec. 2-189. - Powers and duties.**

7
8 (a) Statutorily authorized ~~boards, commissions and committees~~~~authorities, boards, committees and~~
9 ~~commissions~~ shall have the powers and duties assigned by ordinance or statute as described or
10 prescribed in Article IV of this Chapter.

11
12 **[Revisor Note: Changes intended for consistency. No substantive change intended.]**

13
14 (b) Standing committees shall ~~review such matters as may be referred to them by the Village Board~~
15 ~~and shall submit advisory recommendations within their jurisdiction for Village Board action. All~~
16 ~~standing committees have the powers and duties~~ as described in Article V of this Chapter. ~~are~~
17 ~~subunits of the Village Board and Standing committees have no authority to perform no any~~
18 executive or administrative Village function other than as specifically authorized by ordinance or
19 policy adopted by the Village Board.

20
21 (c) No ~~board, commission or committee~~~~statutorily authorized authority, board, committee,~~
22 ~~commission, and standing committee~~ shall assume responsibility for the administration of any
23 Village department except for the Library Board.

24
25 **[Revisor Note: Changes intended for consistency. No substantive change intended.]**

26
27 (d) In case of ambiguity or apparent conflict between ~~the preceding definition of any provision of~~
28 ~~this Code granting authority to any~~ standing committee ~~authority and a definition any grant of~~
29 ~~the authority of to a Village officer, or employee, board, or association,~~ the latter shall prevail.

30
31 **Sec. 2-192. Minutes and Reports.**

32
33 (a) The recorder of each ~~board, commission and committee~~~~statutorily authorized authority,~~
34 ~~board, committee, commission, and standing committee~~ shall file a copy of the meeting
35 minutes of such ~~statutorily authorized authority, board, committee, commission, and standing~~
36 ~~committee body~~ with the Village Clerk-Treasurer prior to the next regularly scheduled
37 meeting of such ~~statutorily authorized authority, board, committee, commission, and standing~~
38 ~~committee body~~. The meeting minutes shall include the date, time, and place of the meeting
39 and the members attending; report on all agenda items; and provide all necessary historical
40 background to familiarize the Village Board with the issue. Approved minutes are deemed to
41 be the product of the entire ~~board, commission and committee~~~~statutorily authorized authority,~~
42 ~~board, committee, commission, and standing committee~~, whether any item therein is
43 approved unanimously or not.

44
45 **[Revisor Note: Changes intended for conciseness. No substantive change intended.]**

(b) ~~If a Village Trustee member on a particular statutorily authorized authority, board, committee, commission, and standing committee disagrees with the position taken by that body on an issue, such member may address the Village Board with the minority position only if the member notifies the statutorily authorized authority, board, committee, commission, and standing committee, either at the meeting or by written notice after the meeting, that such member intends to support the minority position before the Village Board. Upon such notification, the Village Board shall permit one statutorily authorized authority, board, committee, commission, and standing committee member supporting the majority position equal time to address the Village Board on such issue.~~

Sec. 2-284. – Powers and Duties. (Landmarks Commission)

In addition to ~~its any other~~ duties prescribed in Chapter 62, Article II, Division 6, the Landmarks Commission ~~is responsible for the following functions~~shall:

(a) ~~A~~actively working for the ~~passage-enactment~~ of legislation permitting full or partial tax exemptions to properties it has designated under the provisions of ~~this~~Section 62-39 to encourage owners of historic properties to assist in carrying out the ~~intent of this Section~~Village's historic preservation goals.

(b) ~~E~~cooperateing with the State Historic Preservation Officer and the State Historic Preservation Review Board in ~~trying to include promoting the inclusion of~~properties designated ~~hereunder~~ as historic structures, sites or districts in the National Register of Historic Places.

(c) ~~Work for the~~facilitating continuing citizen education about the historical heritage of the Village and the ~~historic~~ structures and sites designated ~~under the provisions of this Section~~as historic.

(d) ~~As it deems advisable, receive-receiving~~ and soliciting funds for the purpose of historic preservation in the Village. ~~Such funds shall be placed in a separate Village account for such purposes;~~

See Chapter 62 referenced at the end of this document for additional regulated changes to the Landmarks Commission within the Zoning Code.

* * *

1 **Sec. 2-313. – Powers and Duties. (Plan Commission)**

2
3 The Village Plan Commission shall be responsible for the following functions:

4
5 (a) The Village Comprehensive Plan.

6
7 (1) The Plan Commission shall make, adopt and, as it deems necessary, amend, extend or
8 add to the Village Comprehensive Plan, including any neighborhood, corridor, or district
9 sub-area plans adopted as a component to such plan. The Comprehensive Plan shall be
10 a guide to the physical, social and economic development of the Village including areas
11 outside of its boundaries which, in the Plan Commission's judgment, bear relation to the
12 development of the Village. The Village Comprehensive Plan, with the accompanying
13 maps, plats and descriptive and explanatory matter, shall show the Plan Commission's
14 recommendations for such development, and shall include all elements required under
15 Wis. Stats. § 66.1001.

16
17 (2) The adoption of the Plan or any part, amendment or addition thereto, shall be by
18 resolution carried by the affirmative votes of not less than a majority of all the members
19 of the Plan Commission following all procedural requirements of Wis. Stats. §
20 66.1001(4). The resolution shall refer ~~expressly to the maps, and other~~ descriptive
21 ~~matters that relate to one or more elements of a comprehensive plan, and other matters~~
22 ~~intended by the Plan Commission to form the whole or any part of the Plan, and the~~
23 ~~action taken shall be recorded on the adopted Plan or part thereof by the identifying~~
24 ~~signature of the secretary of the Plan Commission, and a copy of the Plan or part thereof~~
25 ~~shall be certified to the Village Board. The vote of the Commission shall be recorded in~~
26 its official minutes. The Comprehensive Plan, and any amendment thereto, shall be
27 effective only upon enactment ~~by the Village Board of an ordinance by a majority vote~~
28 of the members-elect of the Village Board of an ordinance adopting the recommended
29 plan or amendment.

30
31 (3) The Plan Commission shall periodically review ~~and update~~ the Comprehensive Plan,
32 including any neighborhood, corridor, or district sub-area plans as it deems appropriate.
33 The Plan Commission shall update the Comprehensive Plan every 10 years as directed
34 by the Village Board. Any person may apply to the Plan Commission for an amendment
35 to the Comprehensive Plan at any other time provided, however, that any proposed
36 amendment substantially similar to a proposal previously rejected by the Plan
37 Commission or Village Board shall not be resubmitted for a period of 12 months
38 following the previous vote. Applications shall be made on a form provided by the
39 Community Development Department and shall be accompanied by the fee established
40 by the Village Board from time to time and provided in Appendix A to this Code.

41
42 (b) Matters referred to Plan Commission. The Village Board shall refer to the Plan Commission,
43 for its consideration and report before final action is taken by the Village Board, public body
44 or officer, the following matters:

45
46 (1) The location and architectural design of any public building;

1 (2) The location of any statue or other memorial;

2
3 (23) The location, acceptance, extension, alteration, vacation, abandonment, change of use,
4 sale, acquisition of land for or lease of land for any street, alley or other public way,
5 park, playground, airport, area for parking vehicles, or other memorial or public
6 grounds;

7
8 (34) The location, extension, abandonment or authorization for any public utility whether
9 publicly or privately owned;

10
11 (45) All plats, including condominium plats, or other land divisions in the Village or within
12 the territory over which the Village is given platting jurisdiction by Wis. Stats. Ch. 236;

13
14 (56) The location, character and extent or acquisition, leasing or sale of lands for public or
15 semi-public housing, slum clearance, relief of congestion, or vacation camps for
16 children; and

17
18 (67) The amendment or repeal of any land use ordinance or any other ordinance adopted
19 pursuant to §§61.35 and 62.23, Wis. Stats.

20
21 (8) The temporary zoning of lands contained within a petition for annexation to the Village.

22
23 (9) Amendments to the Village's Urban Service Area.

24
25 (c) Miscellaneous powers.

26
27 (1) The Plan Commission shall:

28
29 a. oversee community development block grants;

30
31 b. consider and report to the Village Board all matters referred to it pertaining to planning
32 and development of land within the Village and within 1½ miles of the limits of the
33 Village;

34
35 c. review and recommend approval, rejection or conditional approval of all plats, certified
36 surveys, land divisions or replats of any lands within, or within 1½ miles of, the limits
37 of the Village.

38
39 (2) The Plan Commission may:

40
41 a. make reports and recommendations relating to the plan and development of the Village
42 to public officials and agencies, civic, educational, professional and other
43 organizations and citizens.

44
45 b. It may recommend to the Village Board, programs for public improvements and the
46 financing thereof.

1 ~~c. The Plan Commission, its members and employees,~~ in the performance of its functions,
2 ~~may~~ enter upon any land, make examinations and surveys, and place and maintain
3 necessary monuments and markers thereon.

4
5 ~~d. In general, the Plan Commission shall have~~exercise such powers as may be necessary
6 to enable it to perform its functions and promote municipal planning in cooperation
7 with the Village Board to the extent allowed by law. ~~The Plan Commission shall~~
8 ~~oversee community development block grants. The Village Board may refer to the~~
9 ~~Plan Commission for its consideration and recommendation any matter pertaining to~~
10 ~~planning and development of land within the Village and within 1½ miles of the limits~~
11 ~~of the Village. All plats, certified surveys, land divisions or replats of any lands within~~
12 ~~the limits of the Village or any lands outside the Village and within 1½ miles of the~~
13 ~~limits of the Village shall be submitted to the Plan Commission for its~~
14 ~~recommendation to the Village Board before the same are approved by the Village~~
15 ~~Board.~~

16
17 **Sec. 2-347. - Established.**

18
19 The following is a list of standing committees of the Village:

20
21 ~~(1) Communications and Technology Committee.~~

22
23 ~~(21)~~ Finance Committee.

24
25 ~~(32)~~ Parks and Recreation Committee.

26
27 ~~(43)~~ Sustainability & Natural Resources Committee

28
29 ~~(54)~~ Personnel Committee.

30
31 ~~(65)~~ Public Safety Committee.

32
33 ~~(76)~~ Public Works & Utilities Committee.

34
35 ~~(8) Public Works Committee.~~ ~~(79)~~ Senior Outreach Services Committee.

36
37 ~~(10) Volunteer Committee.~~

38
39 (8) Diversity, Equity, and Inclusion Committee.

~~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.~~

[Revisor Note: The substantive regulations governing video providers contained in sections 2-359 to 2-363 below are deleted from Chapter 2 as they duplicate the provisions already contained in Chapter 47, Article VII. The deletions will not change the substance of the current regulations.]

~~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.~~

1 **~~Sec. 2-362.-- Peg-channel requirements.--~~**
2

3 ~~(a) Number of PEG channels. Video service providers and cable operators shall provide capacity~~
4 ~~for three PEG channels. These channels shall be allocated as follows: one specifically~~
5 ~~designated for the McFarland Cable Channel for the operation by the Village of a governmental~~
6 ~~access channel; one channel dedicated for use by WYOU, which is operated as a public access~~
7 ~~channel by WYOU Community Television Inc., and one channel dedicated for use as an~~
8 ~~educational access channel by the McFarland School District.~~
9

10 ~~(b) Location of PEG channels. PEG channels must be carried on any service tier that is viewed by~~
11 ~~more than 50 percent of the video service provider's or cable operator's customers. Video~~
12 ~~service providers or cable operators may not charge an extra fee nor require the rental of special~~
13 ~~equipment in order for their customers to view such PEG channels if such fees or equipment~~
14 ~~are not required to view any of the non-PEG channels on such service tiers.~~
15

16 ~~(c) Quality of PEG channels. Video service providers and cable operators shall not carry a PEG~~
17 ~~television signal in a lesser format or lower resolution than that afforded to a nonbroadcast~~
18 ~~digital programmer carried on the video or cable system. The signal quality of PEG channels~~
19 ~~shall be indistinguishable or better than the signal of other non-PEG channels carried by the~~
20 ~~video service provider or cable operator.~~
21

22 ~~(d) Drops/origination points. Video service providers and cable operators shall apply and maintain~~
23 ~~upstream capacity from all current origination points (a/k/a "live drops") and shall provide~~
24 ~~sufficient capacity for carriage of a television signal from each of these origination points at~~
25 ~~all times. These origination points are all located in the Village as follows:~~
26

27 ~~(1) McFarland Municipal Center; 5920 Milwaukee Street;~~

28 ~~(2) E.D. Loekke Public Library; 5920 Milwaukee Street;~~

29 ~~(3) McFarland High School; 5101 Farwell Street;~~

30 ~~(4) Indian Mound Middle School; 6330 Exchange Street;~~

31 ~~(5) Madison Curling Club; 4802 Marsh Road.~~

32 ~~(e) Substantial utilization of PEG channels and PEG programming.~~

33 ~~(1) Procedures for disconnection due to failure to substantially utilize PEG channel.~~
34

35 ~~a. Written notice of objection to program as not locally produced. A video service provider or cable~~
36 ~~operator must provide written notice to the PEG channel director within ten days of the first or~~
37 ~~original airing of any program that the video service provider or cable operator is objecting to the~~
38 ~~program as having not been locally produced. Such notice shall describe with particularity the~~
39 ~~program being objected to, the date and time the program was first aired and the factual basis~~
40 ~~supporting the objection. Failure to timely provide this notice waives the objection and, therefore,~~
41 ~~such program will be counted towards the determination of whether said PEG channel is being~~
42 ~~substantially utilized.~~
43
44
45
46
47
48

1 ~~b. Written notification of failure to substantially utilize channel. A video service provider or cable~~
2 ~~operator must provide written notification to any PEG channel director within ten days following~~
3 ~~any week in which the video service provider or cable operator objects that the PEG channel has~~
4 ~~not been substantially utilized. Such notice shall describe with particularity the time period being~~
5 ~~objected to, the dates and times during the week in which qualifying programming was not aired~~
6 ~~and the factual basis supporting the objection. Failure to timely provide this notice waives the~~
7 ~~objection and, therefore, such programming period will be counted towards the determination of~~
8 ~~whether said PEG channel is being substantially utilized.~~

9
10 ~~c. Written notification of intention to disconnect, reprogram or drop PEG channel. A video service~~
11 ~~provider or cable operator must provide 120 days' advance written notification to any PEG channel~~
12 ~~director that the video service provider or cable operator intends to disconnect, reprogram or drop.~~
13 ~~A video service provider or cable operator may not disconnect, reprogram or drop any PEG~~
14 ~~channel that it has not timely provided with such written notice. Furthermore, should any PEG~~
15 ~~channel director provide the video service provider or cable operator with a written response that~~
16 ~~the PEG channel was substantially utilized by the municipality, the video service provider or cable~~
17 ~~operator shall not disconnect, reprogram or drop the PEG channel.~~

18
19 ~~d. Penalty for failing to provide notice. If any video service provider or cable operator disconnects,~~
20 ~~reprograms or drops any PEG channel without providing the notice as required in Subsections~~
21 ~~(e)(1)a through c of this Section the video service provider or cable operator shall be subject to the~~
22 ~~following:~~

23
24 ~~1. Immediate reinstatement of the PEG channel to its location in the channel line-up prior to the~~
25 ~~disconnection, reprogramming or dropping of the channel.~~

26
27 ~~2. The issuance of a citation demanding a forfeiture of not less than \$1,000.00 nor more than~~
28 ~~\$10,000.00 for each day that the PEG channel is disconnected, reprogrammed or dropped.~~

29
30 ~~(2) Locally produced programming. Locally produced programming shall include all~~
31 ~~programming produced by any PEG channel and shall include all programming that has~~
32 ~~not been commercially aired. "Locally produced programming" includes any program~~
33 ~~that was in part produced for original airing in the broadcast market in which it was~~
34 ~~produced either in part or in whole. The term "locally produced" shall not require that the~~
35 ~~programming was created, filmed or produced in the McFarland or Dane County area.~~
36 ~~PEG stations may share and exchange programming content in order to meet the~~
37 ~~substantial utilization requirements of Wis. Stats. §66.0420(5)(b).~~

38
39 ~~(f) Underwriting of Programming. PEG channels may transmit noncommercial programming to~~
40 ~~subscribers generally or specific recipients of video service providers or cable operators.~~
41 ~~Nothing herein shall in any way prohibit or prevent PEG channels from accepting grants or~~
42 ~~sponsorships in support of such programming nor shall PEG channels be prohibited from~~
43 ~~acknowledging such grants or sponsorships before, during or immediately after such PEG~~
44 ~~programming has been broadcast in a manner that is similar to the manner in which the Public~~
45 ~~Broadcasting System (PBS) acknowledges the substantially similar support of its programming~~
46 ~~content. Such acknowledgements shall comply with the requirements of 47 USC 399b as~~
47 ~~though the PEG channel was a public broadcast station.~~

1 ~~(g) Notice of intention to move PEG channel locations/designations. Any video service provider~~
2 ~~or cable operator who intends to move any PEG channel from the channel designations may~~
3 ~~only make such a change after providing 60 days' advance written notice to the affected PEG~~
4 ~~channel. Additionally, such video service provider or cable operator shall engage in a public~~
5 ~~education program of such intensity and duration as to reasonably inform the general public of~~
6 ~~the proposed PEG channel designations.~~

7
8 ~~**Sec. 2-363. — Police powers, design/construction standards and rights-of-way.**~~
9

10 ~~(a) Subject to police powers. Video service providers and cable operators are subject to the police~~
11 ~~power of the Village to adopt and enforce general ordinances necessary to the safety, health~~
12 ~~and welfare of the public. The grant of a statewide video or cable franchise does not render or~~
13 ~~to any extent lose, waive, impair or lessen the lawful powers and rights, now or hereafter vested~~
14 ~~in the Village under the Constitution and statutes of the state to regulate the use of streets and~~
15 ~~public ways or to regulate any matter affecting the safety, health and welfare of the public. The~~
16 ~~Village shall make the video service provider's and cable operator's history of compliance with~~
17 ~~such codes and ordinances available to the Department of Financial Institutions so that the~~
18 ~~Department of Financial Institutions may determine the provider or operator's legal, financial~~
19 ~~and technical qualifications to provide video services.~~

20
21 ~~(b) Design, permits, construction and excavation. Video service providers and cable operators shall~~
22 ~~comply with all applicable Village codes and ordinances including, without limitation by~~
23 ~~expression herein, Section 53-122, and shall be subject to any forfeitures so specified for any~~
24 ~~violations thereof. The Village shall make the person's history of compliance with such codes~~
25 ~~and ordinances available to the Department of Financial Institutions so that the Department of~~
26 ~~Financial Institutions may determine the provider's or operator's legal, financial and technical~~
27 ~~qualifications to provide video services.~~

28
29 ~~**Sec. 2-374. — Jurisdiction**~~**Functions and Duties.**
30

31 The Finance Committee is responsible for the following functions:
32

33 (a) advising the Village Board on annual operating and capital budgets, municipal borrowing,
34 fiscal policies, investment policies, and purchasing procedures; the development and
35 amendment of general ordinances, policies and procedures;
36

37 (b) monitoring and making recommendations regarding fee schedules and opportunities to finance
38 public services or improvements through special assessments, special charges, impact fees and
39 other revenue sources; and
40

41 (c) reviewing and making recommendations on public depositories, insurance services and other
42 related services.
43
44
45
46

~~DIVISION 4. -- PARKS, RECREATION AND NATURAL RESOURCES COMMITTEE~~[6]

~~Sec. 2-385. -- Jurisdiction~~Functions and Duties.

~~The Parks, Recreation and Natural Resources Committee~~Parks & Recreation Committee is responsible for the following functions:

~~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.~~(a) developing both short-term plans and long-term master plans to help chart long term growth of public improvements within the parks system and recommending capital improvement plans for park improvements, facilities, and other amenities for adoption by the Village Board;

(b) establishing and reviewing various fee schedules for park and recreational activities and services;

(c) developing policies affecting operations and service delivery including rules and regulations necessary for the effective management of the parks system;

(d) reviewing of design plans and specifications for public park and recreational facility construction and making recommendations to the Village Board regarding the solicitation of bids and awarding of contracts for such projects;

(e) reviewing and making recommendations to the Village Board on property acquisitions that may benefit the park system and making recommendations to the Plan Commission on new public parkland dedications and their proposed improvements when required within new developments;

(f) Evaluating and making recommendations regarding the delivery of park and recreation services;

(g) reviewing, planning, and making recommendations on community recreation programming and amenities;

(h) working with Village staff to research and apply for alternate funding sources such as grants, donations, and bequests to finance park and recreational programs and facilities;

(i) reviewing and facilitating the filing of yearly reports submitted to Federal, State, and other regulatory agencies as needed.

(j) developing plans and strategies to generate volunteerism for restoring natural areas and acting as a lead volunteer during restoration workdays.

1 **Sec. 2-398 – Functions and Duties.**

2
3 The Sustainability & Natural Resources Committee shall be responsible for the following
4 functions:

5
6 (a) reviewing and submitting annually to the Wisconsin Department of Natural Resources the
7 Village's Green Tier Legacy Community Annual Report and advising on the implementation of
8 recommended Green Tier strategies.

9
10 (b) advising on the adoption, maintenance, and implementation of the Village's Sustainability
11 Plan.

12
13 (c) reviewing and recommending policies, programs, and municipal purchases related to protection
14 of ecologically sensitive areas and sustainability initiatives.

15
16 (d) advising on maintaining a healthy and diverse urban forestry program while fulfilling the
17 requirements as a certified Tree City, USA including the following:

18
19 1. advising the Village Board in matters relating to trees and shrubs located within street
20 rights-of-way, parks, cemeteries, and other public properties, and nuisance vegetation
21 located on private properties within the Village.

22
23 2. preparing and maintaining an inventory of trees located on public lands within the
24 Village.

25
26 3. preparing and recommending a plan for the planting, care and maintenance of public
27 trees to the Village Board.

28
29 4. making recommendations to the Village Board regarding the selection of the Village
30 Forester and the hiring and retaining of urban forestry contractors to assist with Village
31 tree management activities.

32
33 5. cooperating, when possible, with neighboring communities in order to procure urban
34 forestry supplies and services more cost-effectively.

35
36 6. encouraging and providing public education regarding tree care and urban forestry
37 issues within the Village.

38
39 7. conducting annual Village Arbor Day observances and ceremonies.

40
41 8. advising the Plan Commission and Village Board on urban forestry issues related to
42 new development.

43
44 (e) advising on acquisition, management, enhancement, and public use of natural and conservancy
45 areas.

1 (f) planning and overseeing improvements related to lakes, rivers, wetland, burial mounds and
2 conservation areas.

3
4 (g) promoting volunteerism for restoring natural areas and participating in restoration workdays.

5
6 (h) working with staff to research, seek and, when authorized by the Village Board, apply for
7 alternate funding sources such as grants, donations, and bequests as applicable to sustainability,
8 urban forestry and conservation matters.

9
10 (i) developing both short-term and long-term management plans to help guide the ecological
11 restoration of natural and conservancy areas.

12
13 (j) performing those functions identified in §56-119 and Chapter 59 of this Code.

14
15 **~~DIVISION 6. PERSONNEL COMMITTEE~~**

16
17 **~~Sec. 2-407. -- Jurisdiction~~Functions and Duties.**

18
19 The Personnel Committee ~~advises~~is responsible for the following functions:

20
21 (a) advising the Village Board on the development of, and revisions to, personnel policies;

22
23 (b) ~~making recommendations regarding~~ changes in the Village's organizational structure;

24
25 (c) making recommendations regarding ~~and the~~ classification of employees and compensation,
26 including fringe benefits ~~plans~~ offered to Village employees;

27
28 (d) making recommendations regarding employment position descriptions.

29
30 **~~DIVISION 7 PUBLIC SAFETY COMMITTEE~~**

31
32 **~~Sec. 2-418. -- Jurisdiction~~Functions and Duties.**

33
34 The Public Safety Committee ~~is responsible for the following functions: advises the Village Board~~
35 ~~on policy issues relating to the operations of the Police Department, and the Fire and Emergency~~
36 ~~Medical Services Department, matters involving licensing and regulation, ordinances controlling~~
37 ~~public offenses and nuisances, and matters of public health.~~

38
39 (a) Advises on Public Safety related policies related to the Police Department, Fire & Rescue
40 Department, and Emergency Management;

41
42 (b) Advises on ordinances and policy revisions related to licensing, permitting, public offenses
43 and nuisances and matters of public safety;

44
45 (c) Make recommendations on alcohol license issuance, renewal, and including conducting
46 operator license hearings as required by policy; and

(d) The Committee shall establish and make recommendations on fees and charges for emergency and protective services.

~~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~~Functions and Duties.

The Public Works & Utilities Committee is responsible for the following functions:

(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 for all Village utilities;

1 ~~(b) recommending adjustments to, as well as preparing and modifying~~ sewer and stormwater rates
2 and filing water rate modification requests with the Wisconsin Public Service Commission
3 when ~~sound business practices deem it appropriate~~authorized to do so by the Village Board.
4

5 ~~(b)Long-range planning. The Public Utilities Committee shall~~(c) preparing, adopt and, as
6 necessary, amend a long-range plan projecting the needs for the Village utilities in the future,
7 in areas of fiscal responsibility, personnel, new construction and scheduled maintenance
8 practices, and recommending to the Village Board a capital improvement plan for public
9 improvements, facilities, vehicles and equipment.
10

11 (d) preparing and maintaining a 10-year plan for road paving and utility capital improvements and
12 replacements.
13

14 (e) developing policies for efficient operations and services delivery by the Public Works and
15 Utilities departments, and evaluating the quality the service provided.
16

17 (f) reviewing plans and specifications intended for public construction.
18

19 (g) recommending to the Village Board the solicitation of bids for public construction projects
20 and the award of contracts for such work.
21

22 (h) advising the Village Board on policies and programs involving the maintenance and
23 construction of Village facilities, streets and sidewalks, solid waste management and recycling,
24 and the maintenance and acquisition of public works vehicles and equipment.
25

26 (i) reviewing the Village's official map on an annual basis and recommending appropriate changes
27 to the Village Board.
28

29 (j) advising the Village Board on transportation matters, including local roads, highways, and
30 pedestrian and bicycle corridors.
31

32 (k) reviewing and making recommendations to the Village Board and Plan Commission on land
33 development and redevelopment proposals to the extent they affect public utilities or other
34 public facilities.
35

36 (l) reviewing and facilitating the filing of required state, federal or other regulatory reports relating
37 to public utilities and other facilities.
38

39 (m) performing such other functions as provided in this Code or as requested by the Village Board
40 relating to public works and utilities.
41

42 (n) advising the Village Board on matters relating to the collection and disposition of solid waste
43 and recyclable materials and the acquisition, maintenance and disposition of public works or
44 utility vehicles and equipment.
45

46 **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. RENUMBER TO 47-2.

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.

[Revisor Note: Renumbering this section to move from committee organizational chapter to utilities chapter for more logical placement.]

~~**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 refer the recommendations of the Public Utilities Committee back to the Public Utilities Committee for further action.~~

Sec. 2-437. - Management, operation and control. RENUMBER TO 47-1

[Revisor Note: Renumbering this section to move from committee organizational chapter to utilities chapter for more logical placement.]

- (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 Public Works & Utilities Committee shall have the power to oversee the progress of -to construction projects authorized by the Village Board for water and sewer lines for public use facilities and shall advise the Village Board with respect to such projects., 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.

~~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.~~

DIVISION 10. - SENIOR OUTREACH ~~SERVICES~~ COMMITTEE

Sec. 2-459. - Jurisdiction.

The Senior Outreach ~~SerVICES~~ Committee is responsible for the following functions:

(a) developing policies affecting operations related to senior services provided both within and without the Village;

(b) planning for the growth and expansion of existing senior services;

(c) reviewing senior service programs provided and making recommendations on new opportunities;

(d) advocacy for seniors within the community at the local, county, and state levels;

(e) capital improvement planning for amenities to be made available to seniors in the community.
~~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. 2-462. - 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.~~

1 **Chapter 8 – BUILDINGS AND BUILDING REGULATIONS**

2
3 [*Please click on this link to view the Village Code of Ordinances for this Chapter.*](#)

4
5 **Sec. 8-906. - Appeals.**

- 6
7 (a) Village Board. The Village Board shall hear and decide appeals where it is alleged that there is
8 error in any order, decision or determination made by the Director of Public Works or designee
9 in administering this Article. The Village Board shall also use the rules, procedures, duties,
10 and powers authorized by statute in hearing and deciding appeals. The Village Board may
11 consider recommendations on appeals made by the Plan Commission ~~and-or~~ the ~~Public~~
12 ~~Utilities~~Public Works & Utilities Committee.
13
14

Chapter 47 – PUBLIC UTILITIES

[*Please click on this link to view the Village Code of Ordinances for this Chapter.*](#)

Sec. 47-51. - Mandatory connections.

(a) Except as provided in paragraph (3), every owner of a parcel of land shall connect to the Village's water service system whenever all of the following conditions exist:

- (1) The parcel of land is adjacent to a public water main; and
- (2) There is located upon such parcel a building or other structure used or usable for human habitation or occupancy or for the conduct of any trade or business.
- (3) Paragraphs (1) and (2) shall not apply where either an exception has been granted by the Village Board under Section 8-52, or in the case of a Subdivision or Certified Survey Map, a variance has been granted by the Village Board under Section 56-206. In granting ~~either any exception under Section 8-52, or a variance under Section 56-206,~~ the Village Board may impose conditions, including requirements for future connection to the public water system.

[Revisor Note: Changes intended for conciseness. No substantive change intended.]

(b) Such connection shall be made no later than 12 months after the installation of the public water main adjoining such parcel. Upon a failure to do so, the ~~Public Utilities~~Public Works & Utilities Committee may cause such connection to be made and bill the property owner for all such costs. If such costs are not paid within 30 days, such costs shall constitute a special tax lien against the property in the manner provided for by law, ~~except that -However,~~ the owner may, within 30 days after the completion of the work, file a written ~~notification option~~ with the ~~Public Utilities~~Public Works & Utilities Committee stating that the owner cannot pay such amount in one sum and ask that the sum be levied in five or less equal installments. The amount shall be so collected with interest at a rate not to exceed 15 percent per annum from the date of completion for the work, all as determined by the ~~Public Utilities~~Public Works & Utilities Committee. The unpaid balance shall constitute a special tax lien, all pursuant to Wis. Stats. §281.45, as amended.

Sec. 47-77. - Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

CREATE NEW: (hm) Committee. The Village Public Works & Utilities Committee.

[Revisor Note: Addition of definition avoids the need to include “Public Works & Utilities” with each reference to the committee in this Article and improves conciseness.]

1 Sec. 47-78. - Application for service.

3 * * *

- (2) If it appears that the service applied for will not provide adequate service for the contemplated use, the **Public Utilities** Committee may reject the application. If the **Public Utilities** Committee approves the application, it shall issue a connection permit ~~as shown on~~consistent with the application. No service shall be provided or application approved without prior payment of all applicable fees.

- (b) The applicant shall ~~agree to~~ install the building sewer in accordance with sewer utility and District specifications and any conditions imposed upon issuance of the permit. No building sewer may be connected to a community sewer unless the community sewer is adequately sized to transport the additional flow. The size and kind of pipe for the building sewer shall be subject to the approval of the Director of Public Works, but in no case shall a pipe of less than four-inch diameter be used. The slope of the building sewer shall be no less than one-eighth-inch per foot. Such sewers shall be backfilled in the manner for water laterals as set forth in this Code. Prior to connection, each building sewer shall be inspected and approved by the Village Plumbing Inspector. All applications for disposal of industrial waste shall be on forms provided by the District and shall be approved by the Director of the District prior to connection to any community sewer.

2 Sec. 47-79. - User charge system.

4 * * *

- 6 (c) Basis for charges.

- (1) Determinations of charges. Sewer service charges to each user shall be based on wastewater parameters recommended from time to time by the ~~Public Utilities~~ Committee and adopted by the Village Board. The sewer service charges shall consist of the sum of the annual debt service charges, all annual operation and maintenance costs, all replacement costs, and all sewer service charges levied or assessed to the Village by the District, plus an amount to be used for working capital and capital improvements as determined by the ~~Public Utilities~~ Committee.

- (2) Biennial review. The sewer service charges of the Village shall be reviewed not less than biennially. Sewer service charges will be adjusted, as required, to reflect actual number and size of users and actual costs. Users will be notified annually of the portion of such sewer service charges attributable to operation and maintenance, debt service and replacement costs. For purposes hereof, the ~~Public Utilities~~ Committee may satisfy this notice requirement by including in the budget summary required to be published under Wis. Stats. § 65.90, a statement of the aforementioned components of the sewer service charges, based on the results of operations for the preceding fiscal year.

1 (3) Rates determinations. The ~~Public-Utilities~~ Committee shall review each year the rates
2 referred to in Subsection (d) of this Section and may recommend amendments to the rates
3 at any time to the Village Board.

4
5 * * *

6
7 (f) Billing, payment and penalty. Sewer service charges shall be billed to each user once every two
8 months, or more frequently, if so determined by the ~~Public-Utilities~~ Committee. Such charges
9 shall be payable not later than 20 days after the end of each billing period, unless the time for
10 payment has been extended. A penalty of one percent per month shall be added to all bills not
11 paid by the date fixed for payment.

12
13 **Sec. 47-105. - Mandatory connections.**

14
15 * * *

16
17 (b) Such connection shall be made no later than 12 months after the installation of the public sewer
18 adjoining such parcel. Upon failure to do so, the ~~Public-Utilities~~ Committee may cause such
19 connection to be made and bill the property owner for all such costs. If such costs are not paid
20 within 30 days, such costs shall constitute a special tax lien against the property in the manner
21 provided for by law. However, the owner may, within 30 days after the completion of the work,
22 file a written notification with the ~~Public-Utilities~~ Committee stating that the owner cannot pay
23 such amount in one sum and ask that the sum be levied in five or less equal installments. The
24 amount shall be so collected with interest at a rate not to exceed 15 percent per annum from
25 the date of completion for the work, all as determined by the ~~Public-Utilities~~ Committee. The
26 unpaid balance shall constitute a special tax lien, all pursuant to Wis. Stats. §281.45, as
27 amended.

28
29
30 **Sec. 47-113. - Owner's maintenance of building sewer.**

31
32 The owner of property abutting a public sewer shall maintain sewer service from the public sewer
33 main to the structure or building on the owner's property, including all controls between the same,
34 without expense to the Village or ~~Public-Utilities~~ Committee, except when they are damaged as a
35 result of negligence or carelessness on the part of the respective Village or ~~Public-Utilities~~
36 Committee. Without intending to limit the generality of the foregoing, the owner has the sole
37 responsibility for the repair and maintenance of all building sewers; and the ownership thereof
38 shall at all times be vested in such property owner. All sewer services must be maintained free of
39 defective conditions, by and at the expense of the owner or occupant of the property. When any
40 sewer service is to be relayed and there are two or more buildings on such service, each building
41 shall be disconnected from such service and a new sewer service shall be installed for each
42 building. In the event of any obstruction of, damage to or repair of a building sewer, the same shall
43 be the responsibility of the property owner, except as provided for in Section 47-151 or as
44 otherwise provided for herein.

1 **Sec. 47-148. - Appeal procedures.**

2
3 Any customer affected by any decision, action, or determination, including cease and desist orders,
4 made by the Utility in interpreting or implementing the provisions of this Article may file with the
5 Village a written request for reconsideration within ten days of the date of such decision, action,
6 or determination, setting forth in detail the facts supporting the user's request for reconsideration.
7 The ~~Public-Utility~~Committee shall render a decision on the request for reconsideration in writing
8 within 60 days of filing of the appeal. If the customer is unsatisfied with the determination of the
9 ~~Public-Utilities~~Committee, the customer may, within ten days after notification of the action, file
10 a written appeal with the Village Board. The provisions of this Section are supplemental to, and
11 are not intended to impair, any right of the customer to seek relief from the Public Service
12 Commission of Wisconsin.
13

14 **Sec. 47-149. - Optional penalty for failure to make mandatory connection.**

15
16 In lieu of causing a mandatory connection to a public sewer main to be made at its order, the ~~Public~~
17 ~~Utilities~~Committee, at its option, may impose a penalty for the period that the violation continues
18 after ten days' written notice to any owner failing to make such connection to the sewer system.
19 The penalty shall be in the amount of \$100.00 per day. Upon failure to make such payment, such
20 penalty shall be assessed as a special tax lien against the property pursuant to Wis. Stats. § 281.47.
21

22 **Sec. 47-150. - Tap permits.**

23
24 After sewer connections have been introduced into any building or upon any premises, no plumber
25 shall make any alterations, extensions, or attachments, unless the party ordering such tapping or
26 other work exhibits the proper permit for the same from the ~~Public-Utilities~~ Committee.
27
28
29
30

31 **Sec. 47-151. - Obstruction of building sewers in public rights-of-way.**

32
33 In the event of any blockage, damage or break in any building sewer, which occurs within a public
34 street, alley, highway, or other public right-of-way, the ~~Public-Utilities~~Committee shall have the
35 exclusive right and option to repair the building sewer within said street, alley, highway or right-
36 of-way. In such event, the owner of the building sewer shall promptly reimburse the Committee
37 for all costs so incurred. If not so reimbursed, the same shall be added to the owner's sewer service
38 charges and collected in the same manner as such charges are so collected.
39

40 **Sec. 47-154. - Discontinuance of service.**

41
42 Whenever any person desires to discontinue sewer service from the system, the ~~Public-Utilities~~
43 Committee must be notified in writing prior to such disconnection. Disconnection shall only be
44 allowed where a structure is demolished. The fact that a structure is vacant shall not entitle the
45 property owner to discontinue sewer service or to an abatement of sewer service charges.
46

1 **Sec. 47-155. - User to permit inspection.**

2
3 Every user shall permit the duly authorized agent of the Village or ~~Public Utilities~~ Committee, at
4 all reasonable times, to enter their premises or building to examine the pipes and fixtures, and the
5 manner in which the drains, and sewer connections operate; and the user must at all times, frankly
6 and without concealment, answer all questions put to them relative to its use, all in accordance
7 with this Section and Wis. Stats. § 196.171, to the extent applicable.
8

9 **Sec. 47-157. - Acquisition of real property interests.**

10
11 Whenever any real estate or any easement therein or use thereof shall in the judgment of the
12 Committee be necessary to the sewer system, and whenever for any reason an agreement for
13 purchase from the owners cannot be made, the ~~Public Utilities~~ Committee, after approval of the
14 Village Board, shall proceed with all necessary steps in the name of the Village to acquire such
15 easement or other interest by condemnation in accordance with the Wisconsin Statutes and any
16 other applicable federal or state provisions.
17

18 **Sec. 47-158. - Disconnection and refusal of service.**

19
20 * * *

21
22 (b) Discontinuation for delinquent accounts. A bill for service is delinquent if unpaid after the due
23 date shown on the bill. The ~~Public Utilities~~ Committee may disconnect service for a delinquent
24 bill by giving the user at least eight calendar days prior to disconnection, a written disconnect
25 notice, which may be included in the bill for service. For purposes of this rule, the due date
26 shall not be less than 20 days after issuance of the bill. The ~~Public Utilities~~ Committee may
27 disconnect without notice where a dangerous condition exists for as long as the condition
28 exists. Service may be denied to any user for failure to comply with the applicable requirements
29 of these rules and regulations or if a dangerous or unsafe condition exists on the user's property.
30

31 **Sec. 47-160. - Abatement procedures.**

32
33 (a) Violations constituting public nuisance. A violation (other than the failure to pay sewer service
34 charges or other fees or costs due under this Article) of any provision of this Article or any
35 other rule or order of the ~~Public Utilities~~ Committee or Village is hereby declared to be a public
36 nuisance.
37

38 (b) Enforcement. The ~~Public Utilities~~ Committee or Village shall have the right to enforce the
39 provisions of this Article and shall make periodic inspections and inspections upon complaint
40 to ensure that such provisions are not violated. No action shall be taken under this Article to
41 abate a public nuisance unless the ~~Public Utilities~~ Committee or Village shall have inspected
42 or caused to be inspected the premises where the nuisance is alleged to exist and shall have
43 satisfied itself that a nuisance does in fact exist.
44
45

- 1 (c) Summary abatement. If the ~~Public Utilities~~Committee or Village determines that a public
2 nuisance exists within the Village and that there is great and immediate danger to public health,
3 safety, or welfare, the ~~Public Utilities~~Committee or Village may cause the same to be abated
4 and charge the cost thereof to the owner, occupant, or person causing, permitting, or
5 maintaining the nuisance, as the case may be.
6
- 7 (d) Abatement after notice. If the ~~Public Utilities~~Committee or Village determines that a public
8 nuisance exists on the private premises but that the nature of such nuisance is not such as to
9 present great and immediate danger to the public health, safety, or welfare, the ~~Public~~
10 ~~Utilities~~Committee or Village shall serve notice to the person causing or maintaining the
11 nuisance to remove the same within ten days. If such nuisance is not removed within such ten
12 days, the ~~Public Utilities~~Committee or Village shall cause the nuisances to be removed as
13 provided in Subsection (c) of this Section.
14
- 15 (e) Other methods not excluded. Nothing in this Article shall be construed as prohibiting the
16 abatement of public nuisances by the ~~Public Utilities~~Committee or the Village or its officials
17 in accordance with the laws of the state.
18
- 19 (f) Court order. Except when necessary under Subsection (c) of this Section, the ~~Public~~
20 ~~Utilities~~Committee or Village shall not use force to obtain access to private property to abate
21 a public nuisance, but shall request permission to enter upon private property if such premises
22 are occupied, and, if such permission is denied, shall apply to any court having jurisdiction for
23 an order assisting the abatement of the public nuisance.
24
- 25 (g) Cost of abatement. In addition to any other penalty imposed by this Article for the erection,
26 contrivance, creation, continuance or maintenance of a public nuisance, the cost of abating a
27 public nuisance by the ~~Public Utilities~~Committee or Village shall be collected as a debt from
28 the owner, occupant, or person causing, permitting, or maintaining the nuisance, and such cost
29 shall be assessed against the real estate as a special charge. For purposes hereof, costs shall
30 include, but not be limited to, actual attorneys' fees and court costs.
31
32

33 **Sec. 47-241. - Application and approval.**

34

35 The extension of public sewer system to serve new customers/users is subject to the prior review
36 and approval of the ~~Public Utilities~~Public Works & Utilities Committee and Village Board and
37 any other governmental agency having appropriate jurisdiction. Any person seeking to have sewer
38 service extended to serve new lands shall make application to the Village. The application shall be
39 in writing and shall set forth the following information:
40

- 41 (a) The name of development, the legal description of the property involved, the owner of the
42 property if different than the applicant, and written consent of the owner must accompany
43 application;
44
- 45 (b) The plat map or Certified Survey Map or other map showing street layout and lot sizes;
46

- (c) The proposed plans and specifications for the sewers;
- (d) The name and address of the consulting engineer;
- (e) The number of housing units and/or other units to be constructed;
- (f) Such additional information as the ~~Public Utilities~~Public Works & Utilities Committee or Village Board may require.

Sec. 47-242. - Conditions of approval.

Subject to recommendation by the ~~Public Utilities~~Public Works & Utilities Committee, the Village Board shall have the sole discretion to approve or disapprove the requested public sewer system extensions. In granting such approval, the Village Board may condition its approval upon compliance with:

- (a) Any applicable ordinances of the Village, the District or Dane County;
- (b) Any applicable statute, rules, orders, or codes of the state;
- (c) The preparation of plans and specifications for the public sewer system extension, subject to the approval of the ~~Public Utilities~~Public Works & Utilities Committee and its consulting engineer;
- (d) The applicant making and installing the public sewer system extension at the applicant's sole cost and expense or otherwise providing a surety bond or other security to ensure that the public sewer system will be so constructed within a reasonable period of time;
- (e) The dedication of such rights-of-way, easements, and sewerage facilities as the Village may reasonably require;
- (f) The payment of all costs and expenses incurred or to be incurred by the Village or ~~Public Utilities~~Public Works & Utilities Committee in connection with the review and approval of such public sewer system extension, including, but not limited to, engineers' fees, attorneys' fees, inspection fees and other similar costs and expenses;
- (g) The payment of any applicable connection fees due or to become due pursuant to Section 47-159;
- (h) Any other condition determined by the ~~Public Utilities~~Public Works & Utilities Committee or Village to be fair and reasonable in order to protect the interest of the Village in connection with the proposed development.

1 **Sec. 47-243. - Contract for sewer improvements.**

2
3 The ~~Public Utilities~~Public Works & Utilities Committee or Village may require the person filing
4 an application pursuant to Section 47-241 to enter into a written development agreement with the
5 Village as a condition of the approval of the public sewer system extension. Such agreement shall
6 define the scope of the work, the obligations of the applicant to construct the sewer facilities, the
7 requirement of security for performance of the applicant's obligations set forth therein, and such
8 other matters as the ~~Public Utilities~~Public Works & Utilities Committee and/or Village may
9 reasonably determine. The applicant shall reimburse the ~~Public Utilities~~Public Works & Utilities
10 Committee or Village for all attorneys' and engineering fees incurred in connection with the
11 preparation and approval of such agreements.
12

13 **Sec. 47-245. - Special assessments for sewer interceptor construction.**

14
15 * * *

16
17 (c) Method of procedure. The following procedure shall apply to special assessments levied under
18 this Section:
19

20 (1) The Village Board shall direct the ~~Public Utilities~~Public Works & Utilities Committee or
21 the Village Engineer to determine the geographical area which will be specially
22 benefitted by availability of service resulting from the construction of the proposed new
23 interceptor.
24

25 (2) The ~~Public Utilities~~Public Works & Utilities Committee shall prepare and submit to the
26 Village Board a report analyzing the per connection cost of the interceptor taking into
27 account the following factors:
28

29 * * *

30
31 (e) Payment as connection fee. The applicant for connection of sanitary sewer service to serve a
32 parcel assessed under this Section shall pay, in addition to the standard fee provided in
33 Appendix A, the REU charge established under Subsection (5) for each REU determined by
34 the Community and Economic Development Director to be served by the connection. The
35 determination of the Director may be appealed to the ~~Public Utilities~~Public Works & Utilities
36 Committee, which shall have the authority to affirm or modify the determination of the
37 Director. The determination of the Committee may be appealed as provided in Wis. Stats.
38 §66.0701.
39

40 **Sec. 47-268. - Creation, power and authority of utility.**

41
42 (a) In order to protect the health, safety, and welfare of the public, the Village Board hereby
43 exercises its authority to establish the McFarland Stormwater Utility.
44

45 (b) The management, operation and control of the McFarland Stormwater Utility shall be vested
46 in the ~~Public Utilities~~Public Works & Utilities Committee.

1 **Sec. 47-270. - Applicability of charges.**
2

3 A stormwater utility charge to cover the costs of the stormwater management system necessary to
4 fulfill the purposes set forth in Section 47-267 shall apply to each developed parcel in the Village.
5 The Village Engineer shall prepare a map depicting all such properties in the Village other than
6 single-family and duplex units and which shall be approved by the ~~Public Utilities~~Public Works
7 & Utilities Committee. In the alternative, the Village Engineer may submit data justifying the
8 calculation of impervious surface areas for properties other than single-family and duplex units
9 not yet included on such map. A copy of such map or such calculations of impervious areas shall
10 be kept on file in the office of the Director of Public Works. Stormwater charges shall not apply
11 to public highways, railroad rights-of-way or cemeteries.
12

13 **Sec. 47-271. - Calculation of stormwater utility charges.**
14

15 * * *
16

17 (b) Stormwater fee. Each customer shall be charged a stormwater fee based upon a charge as
18 established by the Village Board from time to time and provided in Appendix A to this Code
19 unless a different charge is recommended by the ~~Public Utilities~~Public Works & Utilities
20 Committee and adopted by the Village Board by resolution. The stormwater fee shall include
21 amounts for the fixed costs of the Stormwater Utility, as well as the Variable Costs of the
22 Stormwater Utility based on its actual experience in the administration of the Stormwater
23 Utility. The ~~Public Utilities~~Public Works & Utilities Committee shall assure that the fixed
24 cost component and the Variable Cost component of the stormwater fee are accounted for
25 separately on an ongoing basis. A copy of any such resolution shall be filed with the Village
26 Clerk-Treasurer and Village Engineer upon adoption.
27

28 **Sec. 47-272. - Credits.**
29

30 Credits may be obtained toward a reduction of the stormwater fee chargeable to a given parcel
31 which is attributable to operation and maintenance expenses of the Utility. Such credits may be
32 obtained as follows:
33

34 * * *
35

36 (j) Appeal. Appeal of the determination of the Village Engineer shall be heard by the ~~Public~~
37 UtilitiesPublic Works & Utilities Committee. Written notice of appeal shall be filed with the
38 Village Clerk-Treasurer within 15 days of receipt of the Village Engineer's determination.
39 The notice of appeal shall describe the basis of the appeal.
40

41 **Sec. 47-372. - PEG channel requirements.**
42

43 **[Revisor Note: The following change merely corrects a typographical error in existing code.]**
44

45 (d) ~~Crops~~Drops/origination points. Video service providers and cable operators shall apply and
46 maintain upstream capacity from all current origination points (also known as "live drops")
47 and shall provide sufficient capacity for carriage of a television signal from each of these
48 origination points at all times. These origination points are all located in the Village of
49 McFarland as follows:

- 1 (1) McFarland Municipal Center, 5920 Milwaukee Street;
2
3 (2) E.D. Locke Public Library, 5920 Milwaukee Street;
4
5 (3) McFarland High School, 5101 Farwell Street;
6
7 (4) Indian Mound Middle School, 6330 Exchange Street;
8
9 (5) Madison Curling Club, 4802 Marsh Road. PEG channel designations.

10
11 **Chapter 56 – SUBDIVISIONS**

12
13 [*Please click on this link to view the Village Code of Ordinances for this Chapter.*](#)
14

15 **Sec. 56-119. - Street trees plan.**

16
17 * * *
18

- 19 (b) Deposit required. Following the approval of the Final Plat by the Village Board and prior to
20 the signing of the plat by the Village President and Village Clerk-Treasurer, the subdivider
21 shall deposit sufficient money in the Village Clerk-Treasurer's office to cover the cost of
22 completing the plantings in conformity with the tree and shrub planting plan. The Village
23 Forester will then cause the completion of the plantings during the next season, either spring
24 or fall, following acceptance of the plat's required improvements by the Village. The amount
25 of such deposit shall be established by the ~~Parks and Recreation~~[Sustainability & Natural](#)
26 [Resources](#) Committee based on anticipated actual costs of furnishing and installing said
27 plantings. All said money deposited in the Village Clerk-Treasurer's office shall be kept in a
28 separate account to be used solely for the purposes set forth in this Section.
29
30

1 Chapter 59 – VEGETATION

2
3 [*Please click on this link to view the Village Code of Ordinances for this Chapter.*](#)
4

5 Sec. 59-19. - Statement of policy and applicability of Article.

6
7 * * *

8
9 (c) Jurisdiction of the Sustainability & Natural Resources Committee.

- 10
11 (1) The Sustainability & Natural Resources Committee shall, subject to the supervision and
12 control of the Village Board and except as herein provided, ~~have jurisdiction and~~
13 ~~direction over~~ oversee and direct the maintenance and management of all public trees
14 upon Village-owned property; ~~that part of the street, the grade~~ and all other trees ~~on any~~
15 ~~property~~ which may in any way ~~have effect upon~~ affect public property, ~~and upon or~~ the
16 public welfare ~~of the Village; and for, including~~ the planting, care, maintenance,
17 protection, and removal thereof. The ~~Natural Resources~~ Committee shall have the
18 authority to make such rules and regulations, as it may deem applicable for carrying out
19 the purpose of this Article.
20

21 (2) The Committee shall also be responsible for those functions listed in Section 2-398 of
22 this Code.
23

24 (2) The Village may appropriate money to pay the costs of implementing this Article. The
25 Village Board may include in its annual budget such sum as it deems necessary to pay
26 the costs necessary incidental to the Natural Resources Committee's powers and duties
27 under this Article.
28

29 [Revisor Note: Propose deleting this as unnecessary. VB does not need ordinance authority
30 to appropriate funds for a specified public purpose.]
31

32 (3) The Natural Resources Committee shall consist of Village residents with an interest in
33 urban forestry together with the Parks Manager and a member of the Plan Commission.
34 Citizen members shall be appointed through nomination by the Village President subject
35 to confirmation by the Village Board.
36

37 [Revisor Note: The deleted functions below have been moved to Chapter 2 with some
38 language revisions for conciseness]
39

40 (4) The Sustainability & Natural Resources Committee shall have the following powers and
41 duties:
42

- 43 a. To serve in an advisory capacity to the Village Board in matters relating to trees and
44 shrubs located within street rights-of-way, parks, cemeteries, and other public
45 properties within the Village. The Committee may also advise on matters of trees and
46 shrubs located on private property that constitute a hazard, threat or nuisance as
47 described herein.

- ~~b. To prepare and maintain an inventory of trees located on public lands within the Village.~~
- ~~c. To complete and recommend a plan for the planting, care and maintenance of public trees to the Village Board.~~
- ~~d. To recommend that the Village Board apply for state and federal financial assistance grants to fund the preparation and implementation of the Village's urban forest management activities.~~
- ~~e. To assist in the preparation of applications for urban forestry grants after approval by the Village Board.~~
- ~~f. To make recommendations to the Village Board regarding the selection of the Village Forester and the hiring and retaining of urban forestry contractors to assist with Village tree management activities.~~
- ~~g. To cooperate, when possible, with neighboring communities in order to procure urban forestry supplies and services more cost effectively.~~
- ~~h. To encourage and provide public education regarding tree care and urban forestry issues within the Village.~~
- ~~i. To conduct yearly Village Arbor Day observances and ceremonies.~~
- ~~j. To earn and maintain the Village's "Tree City USA" status with the National Arbor Day Foundation.~~
- ~~k. To advise the Plan Commission and Village Board on urban forestry issues related to new development.~~

Sec. 59-20. - Definitions.

The following words, terms and phrases, when used in this ~~Article~~Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

CREATE NEW: (bm) *Committee.* The Village Sustainability & Natural Resources Committee.

[Revisor Note: Adding definition of "Committee" allows for abbreviated references to committee in Chapter 59]

1 **Sec. 59-23. - Abatement of tree disease and insect nuisances.**
2

- 3 (a) Insects and pathogens. The Village Board has determined that there are many trees growing on
4 public and private premises within the Village, the loss of which would substantially
5 depreciate the value of public and private property, impair the use and enjoyment of public
6 and private premises and erode the tax base of the Village, and that the health and life of such
7 trees is threatened by fatal insect infestation and diseases. The Village Board hereby declares
8 its intention to control and prevent the spread of pests and specifically declares oak wilt and
9 the insect vectors of this and other such diseases to be public nuisances. The ~~Village Board~~
10 ~~also authorizes the Natural Resources~~ Committee ~~to shall~~ investigate new diseases and
11 nuisances as they come into existence and ~~authorizes said Natural Resources Committee to~~
12 take actions ~~similar to those described herein~~ authorized in this section for such ~~future~~ diseases
13 and nuisances.
14

15 **Sec. 59-25. - Planting of trees and shrubs.**
16

17 * * *
18

- 19 (b) Tree planting program. The Village shall require a diversification of tree species. The
20 Sustainability & Natural Resources Committee shall designate the types of trees to be planted
21 in the planting of public trees. On newly opened streets, the ~~Natural Resources~~ Committee
22 may designate the size, type, or types of trees or shrubs and the manner in which they shall
23 be planted, using the Village of McFarland Landscaping Standards. Developers shall provide
24 a copy of the planting plan to the Village Forester identifying the species to be planted.
25

- 26 (c) Planting standards.
27

- 28 (1) The size, genus, species, variety and nursery grade of trees and shrubs to be planted in
29 public areas and boulevards and the manner of planting shall be submitted to the Village
30 Forester for approval before commencement of such work. The following provisions
31 shall apply:
32
33 a. All new street trees must be selected from a list of approved trees compiled by the
34 ~~Natural Resources~~ Committee and described within Section 59-35. New trees must be
35 single stemmed with a minimum trunk diameter of one and one-half inches measured
36 at six inches above ground level.
37

38 * * *
39
40
41
42
43
44
45
46

1 **Sec. 59-29. - Removal of trees and stumps.**

2
3 * * *
4

- 5 (d) Tree preservation. In the development of commercial property involving previously
6 undeveloped land, the developer will, as part of its development plan identify which trees are
7 to be removed to install the infrastructure for the development. The developer will also
8 provide a plan specifying methods of protecting trees not approved for removal. The
9 developer must ensure that protective structures shall remain in place until on-site
10 construction is complete. The Village Forester, shall review and recommend a tree
11 preservation plan to the Plan Commission. In the development of a new Subdivision involving
12 previously undeveloped land, the developer, as part of the Preliminary Plat, will identify
13 which trees are to be removed to install infrastructure for the development. The developer will
14 also provide a plan specifying methods of protecting trees not approved for removal. The
15 developer must ensure that protective structures shall remain in place until on-site
16 construction is complete. The ~~Natural Resourcees~~ Committee, after consultation with the
17 Village Forester, shall review and approve a Preliminary Plat tree preservation plan to the
18 Plan Commission.
19

20 **Sec. 59-59. - Natural landscape.**

21
22 * * *
23

- 24 (d) Enforcement.
25

26 * * *
27

- 28 (4) The owner may appeal the determination set forth in any notice by filing a written request
29 for hearing before the ~~Natural Resourcees~~ Committee within ten days of the date of notice
30 with the Village Clerk. Enforcement action shall be stayed and time for compliance toiled
31 pending the decision of the ~~Natural Resourcees~~ Committee. The notice of violation shall
32 describe these appeal rights.
33
34
35

Chapter 62 – ZONING

[*Please click on this link to view the Village Code of Ordinances for this Chapter.*](#)

~~Sec. 62-395.— Landmarks Commission powers and duties.~~

~~(a) Designation. The Landmarks Commission may, subject to Subsection (c) of this Section, recommending that the Village Board designate historic structures, historic sites, and Historic Districts within the Village limits, based on the criteria of Section 62-394. Once so designated, such historic structures, sites and districts shall be subject to all the provisions of this Article.~~

~~(f) reviewing and determining applications for certificates of appropriateness under Section 62-395 and approving demolition of historic structures when appropriate pursuant to Section 62-397.~~

~~(b)Section 62-395 Regulation of construction, reconstruction and exterior alteration.~~

~~(4a) Any person filing an application for a building permit involving the exterior of a designated historic structure, or structure within a Historic District shall also file such application with the Landmarks Commission.~~

~~(b2) No person in charge of a historic structure, historic site or structure within a Historic District shall reconstruct or alter any part of the exterior of such structure or construct any improvement upon such designated historic site or improvement parcel within an Historic District or cause or permit any such work to be performed upon such property unless a certificate of appropriateness has been granted by the Landmarks Commission. Unless such certificate has been granted by the Landmarks Commission, the Building Inspector shall not issue a permit for such work.~~

~~(c3) Upon receiving an application, the Landmarks Commission shall determine whether or not:~~

~~a(1)- The proposed work would destroy, detrimentally change or adversely affect any existing exterior architectural feature of the improvement upon which said work is to be done; and~~

~~b(2-) The exterior of any proposed new improvement would fail to harmonize with the external appearance of other neighboring improvements on such site; or~~

~~e(3)- As to any property in a designated Historic District, construction, reconstruction or exterior alteration fails to conform to the objectives and design criteria of the historic preservation plan for said district as duly adopted by the Village Board.~~

(c) Granting of certificate. If the Landmarks Commission decides the above questions applicable in the negative, it shall grant the certificate of appropriateness. Upon the issuance of such certificate, the Building Inspector shall issue the building permit. The Landmarks Commission shall make this decision within 45 days of the filing of the application. Should

1 the Landmarks Commission deny the application, the applicant may appeal such decision to
2 the Village Board, which may grant said certificate by a majority vote of the membership,
3 upon a clear showing of economic hardship by the applicant. In addition, if the Landmarks
4 Commission fails to approve an application, the Landmarks Commission shall, at the
5 applicant's request, cooperate and work with the applicant in an attempt to obtain a certificate
6 of appropriateness within the guidelines of this Article.

7
8 **Sec. 62-399. - Recognition of historic structures and historic sites.**

9
10 After an historic structure or site has been so designated by the ~~Landmarks Commission~~ Village
11 Board, the Landmarks Commission shall cause to be placed on such property, at Village expense,
12 a suitable plaque declaring that such property is an historic structure or site. Such plaque shall be
13 placed ~~for ease of~~ in a location readily visible to pedestrians visibility. ~~The plaque and~~ shall contain
14 all information deemed appropriate by the ~~Landmarks Commission~~.

15
16 **Sec. 62-400. - Rescission of historic structure of site designation; sale.**

17
18 Any owner of record of an historic structure or site who wishes to sell said historic structure but is
19 unable to find a buyer willing to preserve ~~such an~~ the historic structure or site, may petition the
20 Landmarks Commission for a rescission of its designation. Such petition shall contain a verified
21 statement that the owner has made reasonable attempts in good faith to find and attract such a
22 buyer and such other information deemed reasonably necessary by the Landmarks Commission.
23 Following the filing of such petition:

24
25 (a) The owner and the Landmarks Commission shall work together in good faith to locate a buyer
26 for the subject property who is willing to abide by its designation.

27
28 (b) If, at the end of a period not exceeding 12 months from the date of such petition, no such buyer
29 can be found and if the owner still desires to obtain such a rescission, the Landmarks
30 Commission ~~shall rescind its~~ may recommend, and the Village Board may approve, the
31 rescission of the designation of the subject property as historic under this Article.

32
33 (c) In the event of such rescission, the ~~Landmarks Commission shall notify the~~ Village Clerk-
34 Treasurer shall notify, the Building Inspector and the Village Assessor of the same, and shall
35 cause the rescission to be recorded at Village expense in the Dane County Register of Deeds.

36
37 ~~(d) Following any such rescission, the Landmarks Commission may not redesignate the subject~~
38 ~~property as an historic structure or site for at least two years from the date of rescission.~~

39
40 **Sec. 62-401. - Historic designation procedures.**

41
42 (a) Recommendations; notice; public hearing; independent investigation; designation. The
43 Landmarks Commission may, after notice and public hearing, recommend that the Village
44 Board establish historic structures, sites and historic districts. At least ten days prior to such
45 hearing, the Landmarks Commission shall give written notice to the owners of record, listed
46 in the Village Assessor's records, of the affected property and other property situated within

1 200 feet of the affected property. The Landmarks Commission shall also give notice of such
2 hearing to the Director of Public Works, Parks and Recreation Committee, Fire and
3 Emergency Medical Services Department, Police Department, Building Inspector and Plan
4 Commission. Each may respond to the proposed designation ~~or rescission~~ in writing or by
5 appearance at the hearing. The Landmarks Commission shall then conduct such public
6 hearing and may hear expert witnesses and may subpoena such witnesses and records as it
7 deems necessary. The Landmarks Commission may conduct an independent investigation into
8 the proposed designation ~~or rescission~~. Within ten days after the public hearing, the
9 Landmarks Commission may recommend to the Village Board the designation of the property
10 as an historic structure, an historic site, or recommend to the Village Board the designation of
11 the property as an historic structure, an historic site, or recommend its inclusion in an historic
12 district, ~~or may rescind the designation~~. The Village Board may hold a separate public hearing
13 on the owner's or its own request before designation. After the designation ~~or rescission of~~
14 designation has occurred, notification shall be sent to the property owner and to the persons
15 who appeared at the public hearing. The Landmarks Commission shall cause the designation
16 ~~or rescission~~ to be recorded, at Village expense, in the Dane County Register of Deeds.
17

August 2022

Release
Agenda/Package

August 2022							September 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6	4	5	6	7	1	2	3
14	8	9	10	11	12	13	11	12	13	14	15	16	17
21	15	16	17	18	19	20	18	19	20	21	22	23	24
28	22	23	24	25	26	27	25	26	27	28	29	30	

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	Aug 1 Library Board	2 Parks and Recreation Committee	3 Public Safety Committee	4	5	6
7	8 Sustainability and Natural Resources Committee	9 Village Board	10 Community Development Authority	11	12	13
14	15 DEI Committee	16 Plan Commission	17 Senior Outreach Committee	18	19	20
21	22 Public Works and Utilities Committee	23 Village Board	24	25	26	27
28	✗ Cannot plan on the fifth day of each month.	✗	✗		Groups Meeting as Needed Going Forward: - Board of Review - Board of Zoning Appeals - Ethics Board - Finance Committee - Landmarks Committee - SD/VB Joint Planning Committee - Personnel Committee - Police and Fire Commission	

McFarland
SUMMARY SHEET

MEETING DATE: Monday, January 24, 2022

SECTION: Business

DEPARTMENT: Administration

CONTACT: Matt Schuenke, Village Administrator, Cassandra Suettinger, Village Clerk/Treasurer

AGENDA ITEM: Discussion regarding remaining schedule for the Board, Commission, and Committee Restructuring Project.

PREVIOUS ACTION:

None.

ISSUE SUMMARY:

This item is meant to check in on our schedule as we make progress through the project. It will note remaining tasks and put some suggested dates towards when they will be completed. Please note the following:

- January 24, 2022 @ 5:30 pm - Committee of the Whole: Further review draft code changes that were introduced to the Committee on January 10th. Some initial changes were included based on feedback provided and also incorporates changes to the Landmarks Commission and Plan Commission. This meeting is also an opportunity to receive public input on what has been prepared thus far.
- February 14, 2022 @ 5:30/7:00 pm - Committee of the Whole/Village Board: This date and time is presented as possibly the soonest the code changes could be considered for approval given that two prior meetings are planned for review in advance of this action. It could also be a chance to further discuss items at the Committee of the Whole like we have been doing if we are not ready for adoption.
- February 28, 2022 @ 7:00 pm - Village Board: Alternative date/time to consider adoption of ordinance changes.
- March, 2022 - Advertise for appointments as needed.
- April, 2022 - Make appointments as available.
- May, 2022 - Implement new structure.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

None.

ORDINANCE REFERENCE:



None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Presented as an update and for discussion. No action needed.

ATTACHMENTS:

None