

Committee of the Whole

Monday, February 14, 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/82698664685>

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

Webinar ID: 826 9866 4685

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 24, 2022.
5. BUSINESS.
 - a. Discussion and action to make a recommendation to the Village Board regarding Ordinance #2022-02: an ordinance amending various provisions of the McFarland Municipal Code related to Village committee organizations and functions and making certain clerical corrections.
6. SCHEDULE NEXT MEETING DATE.
 - a. Monday, February 28, 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 24, 2022 - 5:30 PM

1. CALL TO ORDER.

Clerk/Treasurer Suettinger called the Committee of the Whole meeting to order at 5:30 p.m. in the Community Room of the McFarland Municipal Center. She reported that due to President Clow being absent, trustees would need to elect a chair person to preside over the meeting. Motion by Trustee St. Clair, second by Trustee Mike Flaherty, to appoint Trustee Brassington to preside over the meeting. Motion carries 4 - 0 - 0 by acclamation.

2. ATTENDANCE/ROLL CALL.

Village Board members present: President Clow (joined at 5:33 p.m.), Village Trustee Stephanie Brassington, Village Trustee Michael Flaherty, Village Trustee Carrie Nelson (joined at 5:31 p.m.) Village Trustee Chris St. Clair, Village Trustee Edward Wreh.

Village Board members not present: Trustee Justin Rupert.

Staff Present: Administrator Matt Schuenke, Clerk/Treasurer Cassandra Suettinger, Police Chief Aaron Chapin, Community and Economic Development Director Andrew Bremer, Public Works Director Jim Hessling, Outreach Director Lori Andersen, Fire/EMS Director Chris Dennis, and Communications & Technology Director Stephanie Miller.

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 minutes of the meeting held on January 10, 2022.*
Motion by Village Trustee Michael Flaherty, second by Village Trustee Chris St. Clair, to approve the minutes of the meeting held on January 10, 2022. Motion carries 6 - 0 - 0 by acclamation.

5. BUSINESS.

- a. Public input regarding proposed code changes regarding the Board, Commission, and Committee Restructuring Project.*

No members of the present were public to provide public input.

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

Village Administrator Schuenke provided an overview of the proposed ordinance amendment.

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

Village Administrator Schuenke reported the final ordinance would be sent out to trustees to provide additional review. If an additional Committee of the Whole meeting is necessary, it will be held on February 14th. Otherwise, the final ordinance would be presented for potential passage on February 28th.

6. SCHEDULE NEXT MEETING DATE.

- a. Monday, February 14, 2022 at 5:30 pm.

7. ADJOURNMENT.

Motion by Village Trustee Stephanie Brassington, second by Village Trustee Michael Flaherty, to adjourn at 6:14 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

McFarland
SUMMARY SHEET

MEETING DATE: Monday, February 14, 2022

SECTION: Business

DEPARTMENT: Administration

CONTACT: Matt Schuenke, Village Administrator

AGENDA ITEM: Discussion and action to make a recommendation to the Village Board regarding Ordinance #2022-02: an ordinance amending various provisions of the McFarland Municipal Code related to Village committee organizations and functions and making certain clerical corrections.

PREVIOUS ACTION:

The draft ordinance was first presented to the Committee at the meeting held on January 10, 2022 following several review sessions the previous year. It was last reviewed on January 24th as well.

ISSUE SUMMARY:

Please note the final draft of Ordinance #2022-04 within your packet for consideration. There are two final changes requested for discussion by President Clow. They are summarized as follows:

- **Section 11** - She has requested that no one be allowed to serve on more than 1 board, commission, or committee. The exception to this would apply to Village Board members since naturally these individuals have to serve in multiple appointments to fulfill other requirements of the ordinance.
- **Section 54(b)** - This is a non-code provision which provides a grandfathering clause for those individuals presently serving on more than one board, commission, or committee. There are 6 people this would apply to as we transition to the new structure. They can remain appointed to two groups until either they voluntarily resign or their term expires.

The remainder of the document is the same version as was last distributed to the Village Board on February 4, 2022. We will discuss this request and any other final comments on the ordinance prior to sending it to the Village Board for adoption.

FINANCIAL/BUDGET IMPACT:

None.

VILLAGE PLAN REFERENCE:

None.



ORDINANCE REFERENCE:

None.

BOARD, COMMISSION OR COMMITTEE RECOMMENDATION:

Recommended Action:

Motion, second to make a recommendation to the Village Board to approve Ordinance #2022-02, an ordinance amending various provisions of the McFarland Municipal Code related to Village Committee organization and functions and making certain clerical corrections.

ATTACHMENTS:

1. 2022-02 BCC Restructuring 02102022 mgs

ORDINANCE 2022-02

AN ORDINANCE AMENDING VARIOUS PROVISIONS OF THE MCFARLAND MUNICIPAL CODE RELATING TO VILLAGE COMMITTEE ORGANIZATION AND FUNCTIONS AND MAKING CERTAIN CLERICAL CORRECTIONS.

Purpose: To amend the Municipal Code to restructure Village standing committees, update the designated functions of various boards, commissions and committees and make other revisions for clarity, conciseness or administrative efficiency.

Sponsor: Carolyn A. Clow, Village President

Recommended Referral: None

Public Hearing: Not Required

WHEREAS, the Village Board has reviewed the existing organizational structure along with the assigned functions of the various Village subordinate boards, commissions and committees and determined that revisions to that structure are appropriate; and

WHEREAS, the Village Board has determined that the proposed amendments contained herein will promote the public interest by providing more effective and efficient review of various Village activities and functions, improving the operations of Village government and simplifying and clarifying various ordinances;

NOW, THEREFORE, the Village Board of McFarland, Wisconsin, does ordain as follows:

Section 1. Section 2-155 of the McFarland Municipal Code is amended to read as follows:

Sec. 2-155. - Regular meetings.

Regular meetings of the Village Board shall be held on the second Tuesday and fourth Tuesday of each month at 7:00 p.m. If such second or fourth 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.

Section 2. Section 2-163(a)(1) of the McFarland Municipal Code is amended to read as follows:

(a) *Agenda.*

(1) The conduct of business at all regular or special meetings shall be according to the agenda prepared and properly posted by the Village Clerk-Treasurer. 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.

Section 3. Section 2-163(b) of the McFarland Municipal Code is amended to read as follows:

(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.

Section 4. Section 2-163(c) of the McFarland Municipal Code is amended to read as follows:

(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, Communications and Proclamations
- (4) Consent agenda.
- (5) Public appearances.
- (6) Public hearings (if needed).
- (7) Business.
- (8) Closed Session (if needed).
- (9) Reconvene into Open Session (if needed).
- (10) Action on items discussed in Closed Session (if needed).
- (11) Adjournment.

Section 5. Section 2-163(d) of the McFarland Municipal Code is amended to read as follows:

(d) *Order to be followed.* No business shall be taken up out of order unless authorized by the Village President or by majority vote of the Village Board and in the absence of any debate whatsoever.

Section 6. Section 2-164(a)(2) of the McFarland Municipal Code is amended to read as follows:

(2) The sponsor of an ordinance may be the Village President, one or more Village Trustees, the Village Administrator, a department head or a board, committee or commission. The Village Attorney may sponsor ordinances when changes in state law make it necessary or desirable for the Village to act rapidly.

Section 7. Section 2-183 of the McFarland Municipal Code is repealed and recreated to read as follows:

Sec. 2-183. - Composition.

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

(b) Standing Committees. Except as provided in sub. (c), each standing committee shall be comprised of seven (7) members, two (2) of whom shall be Village Trustees and five (5) shall be citizen members. .

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

Section 8. Section 2-184 of the McFarland Municipal Code is amended to read as follows:

Sec. 2-184. - Residency required for service on statutorily authorized boards, committees, commissions, and standing committees.

No person not a resident of the Village shall be appointed in a voting capacity to any Village board, commission, or committee other than the Library Board. Any member of such board, commission, or committee who moves from the Village shall be removed from such body, but may be appointed to serve in a non-voting capacity.

Section 9. Section 2-185 of the McFarland Municipal Code is repealed and recreated to read as follows:

Sec. 2-185. - Appointments and Term.

(a) *Appointment Authority.* All members of Village boards, commissions and committees shall be appointed by the Village President, subject to confirmation by the Village Board.

(b) *Time of Appointments.* Appointments to each board, commission and committee shall be made at the annual meeting of the Village Board in April, or as soon thereafter as practicable, and at such other times as vacancies may occur.

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

Section 10. Section 2-186 of the McFarland Municipal Code is amended to read as follows:

Sec. 2-186. - President to designate chairpersons.

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

Section 11. Section 2-187 of the McFarland Municipal Code is repealed and recreated to read as follows:

Sec. 2-187. - ~~Committee m~~Membership.

- (a) All Village Trustees shall serve on at least one standing committee.
- (b) The Village President and Village Administrator shall be *ex officio* non-voting members of each standing committee but shall not be counted in determining a quorum.
- (c) The Village President may be appointed to serve as chairperson, vice-chairperson or as a member of a specific committee as one of the Trustee members.
- (d) No person other than a member of the Village Board Trustee shall serve on more than one (1) two (2) Village boards, commissions, and-or committees at the same time except when serving in an *ex officio* capacity.

Section 12. Section 2-188 of the McFarland Municipal Code is amended to read as follows:

Sec. 2-188. - Attendance.

The Village Clerk-Treasurer, or designee, shall maintain a record of the attendance of the members at meetings of all appointed boards, commissions and committees. Any member who will be absent from a meeting shall give prior notice of the absence to the chairperson. Failure to attend regularly scheduled meetings four times in any year, commencing from the annual organizational meeting, shall be deemed to be an event by which the member or chairperson vacates the position to which the member was appointed. The Village Clerk-Treasurer shall provide written notice of such vacancy to the former member, the appropriate chairperson, and the Village President. This section shall not apply to *ex officio* members.

Section 13. Section 2-189 of the McFarland Municipal Code is amended to read as follows:

Sec. 2-189. - Powers and duties.

- (a) Statutorily authorized boards, commissions and committees shall have the powers and duties assigned by ordinance or statute as described or prescribed in Article IV of this Chapter.
- (b) Standing committees shall have the powers and duties as described in Article V of this Chapter. Standing committees have no authority to perform any executive or administrative Village function other than as specifically authorized by ordinance or policy adopted by the Village Board.
- (c) No board, commission or committee shall assume responsibility for the administration of any Village department except for the Library Board.
- (d) In case of ambiguity or apparent conflict between any provision of this Code granting authority to any standing committee and any grant of authority to a Village officer or employee, the latter shall prevail.

Section 14. Section 2-192 of the McFarland Municipal Code is repealed and recreated to read as follows:

Sec. 2-192. Minutes and Reports.

The recorder of each board, commission and committee shall file a copy of the meeting minutes of such body with the Village Clerk-Treasurer prior to the next regularly scheduled meeting of such body. The meeting minutes shall include the date, time, and place of the meeting and the members attending; report on all agenda items; and provide all necessary historical background to familiarize the Village Board with the issue. Approved minutes are deemed to be the product of the entire board, commission and committee, whether any item therein is approved unanimously or not.

Section 15. Section 2-284 of the McFarland Municipal Code is amended to read as follows:

Sec. 2-284. – Powers and Duties.

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

- (a) cooperating with the State Historic Preservation Officer and the State Historic Preservation Review Board in promoting the inclusion of properties designated as historic structures, sites or districts in the National Register of Historic Places.
- (b) facilitating continuing citizen education about the historical heritage of the Village and the structures and sites designated as historic.

(c) working with Village staff to research, seek and, when authorized by the Village Board, apply for alternative funding sources such as grants, donations, and bequests as applicable for the purpose of historic preservation in the Village.

(d) 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. In performing these functions, the commission may engage the assistance of qualified professionals.

(e) 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.

(f) reviewing and recommending policies, programs and municipal purchases related to historic preservation.

Section 16. Sec. 2-313. – Powers and Duties.

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

(a) The Village Comprehensive Plan.

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

(2) The adoption of the Plan or any part, amendment or addition thereto, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the Plan Commission following all procedural requirements of Wis. Stats. § 66.1001(4). The resolution shall refer to maps and other descriptive matters that relate to one or more elements of a comprehensive plan. The vote of the Commission shall be recorded in its official minutes. The Comprehensive Plan, and any amendment thereto, shall be effective only upon enactment of an ordinance by a majority vote of the members-elect of the Village Board adopting the recommended plan or amendment.

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

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

- (1) The location and architectural design of any public building;
- (2) The location of any statue or other memorial;
- (3) The location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public way, park, playground, airport, area for parking vehicles, or other memorial or public grounds;
- (4) The location, extension, abandonment or authorization for any public utility whether publicly or privately owned;
- (5) All plats, including condominium plats, in the Village or within the territory over which the Village is given platting jurisdiction by Wis. Stats. Ch. 236;
- (6) The location, character and extent or acquisition, leasing or sale of lands for public or semi-public housing, slum clearance, relief of congestion, or vacation camps for children; and
- (7) The amendment or repeal of any land use ordinance or any other ordinance adopted pursuant to §§61.35 and 62.23, Wis. Stats.
- (8) The temporary zoning of lands contained within a petition for annexation to the Village.
- (9) Amendments to the Village's Urban Service Area.

(c) Miscellaneous powers.

(1) The Plan Commission shall:

- a. oversee community development block grants;
- b. consider and report to the Village Board all matters referred to it pertaining to planning and development of land within the Village and within 1½ miles of the limits of the Village;
- c. review and recommend approval, rejection or conditional approval of all plats or replats of any lands within, or within 1½ miles of, the limits of the Village.
- d. review and approve, reject or conditionally approve all applications for conditional use permits and site design permits under Chapter 62 of this Code.

(2) The Plan Commission may:

- a. make reports and recommendations relating to the plan and development of the Village to public officials and agencies, civic, educational, professional and other organizations and citizens.
- b. recommend to the Village Board, programs for public improvements and the financing thereof.
- c. in the performance of its functions, enter upon any land, make examinations and surveys, and place and maintain necessary monuments and markers thereon.
- d. exercise such powers as may be necessary to enable it to perform its functions and promote municipal planning in cooperation with the Village Board to the extent allowed by law.

Section 17. Article V of Chapter 2 of the McFarland Municipal Code shall be consolidated as a single division and all division designations shall be deleted.

Section 18. Section 2-347 of the McFarland Municipal Code is amended to read as follows:

Sec. 2-347. - Established.

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

- (1) Finance Committee.
- (2) Parks and Recreation Committee.
- (3) Sustainability & Natural Resources Committee
- (4) Personnel Committee.

- (5) Public Safety Committee.
- (6) Public Works & Utilities Committee.
- (7) Senior Outreach Services Committee.
- (8) Diversity, Equity, and Inclusion Committee.

Section 19. Section 2-358 of the McFarland Municipal Code is repealed.

Section 20. Section 2-359 of the McFarland Municipal Code is repealed.

Section 21. Section 2-374 of the McFarland Municipal Code is repealed and recreated to read as follows:

Sec. 2-374. –Finance Committee.

The Finance Committee is responsible for the following functions:

- (a) advising the Village Board on the development and amendment of general ordinances, policies and procedures;
- (b) monitoring and making recommendations regarding fee schedules and opportunities to finance public services or improvements through special assessments, special charges, impact fees and other revenue sources; and
- (c) reviewing and making recommendations on public depositories, insurance services and other related services.

Section 22. Section 2-385 of the McFarland Municipal Code is repealed and recreated to read as follows:

Sec. 2-385. – Parks & Recreation Committee.

The Parks & Recreation Committee is responsible for the following functions:

- (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.

Section 23. Section 2-398 of the McFarland Municipal Code is created to read as follows:

Sec. 2-398 – Sustainability & Natural Resources Committee.

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

- (a) reviewing and submitting annually to the Wisconsin Department of Natural Resources the Village's Green Tier Legacy Community Annual Report and advising on the implementation of recommended Green Tier strategies.
- (b) advising on the adoption, maintenance, and implementation of the Village's Sustainability Plan.
- (c) reviewing and recommending policies, programs, and municipal purchases related to protection of ecologically sensitive areas and sustainability initiatives.
- (d) advising on maintaining a healthy and diverse urban forestry program while fulfilling the requirements as a certified Tree City, USA including the following:

- (1) advising the Village Board in matters relating to trees and shrubs located within street rights-of-way, parks, cemeteries, and other public properties, and nuisance vegetation located on private properties within the Village.
 - (2) preparing and maintaining an inventory of trees located on public lands within the Village.
 - (3) preparing and recommending a plan for the planting, care and maintenance of public trees to the Village Board.
 - (4) making 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.
 - (5) cooperating, when possible, with neighboring communities in order to procure urban forestry supplies and services more cost-effectively.
 - (6) encouraging and providing public education regarding tree care and urban forestry issues within the Village.
 - (7) conducting annual Village Arbor Day observances and ceremonies.
 - (8) advising the Plan Commission and Village Board on urban forestry issues related to new development.
- (e) advising on acquisition, management, enhancement, and public use of natural and conservancy areas.
- (f) planning and overseeing improvements related to lakes, rivers, wetland, burial mounds and conservation areas.
- (g) promoting volunteerism for restoring natural areas and participating in restoration workdays.
- (h) working with staff to research, seek and, when authorized by the Village Board, apply for alternate funding sources such as grants, donations, and bequests as applicable to sustainability, urban forestry and conservation matters.
- (i) developing both short-term and long-term management plans to help guide the ecological restoration of natural and conservancy areas.
- (j) performing those functions identified in Chapter 59 of this Code.

Section 24. Section 2-407 of the McFarland Municipal Code is amended to read as follows:

Sec. 2-407. Personnel Committee.

The Personnel Committee is responsible for the following functions:

- (a) advising the Village Board on the development of, and revisions to, personnel policies;
- (b) making recommendations regarding changes in the Village's organizational structure;
- (c) making recommendations regarding the classification of employees and compensation, including fringe benefits offered to Village employees;
- (d) making recommendations regarding employment position descriptions.

Section 25. Section 2-418 of the McFarland Municipal Code is amended to read as follows:

Sec. 2-418. Public Safety Committee.

The Public Safety Committee is responsible for the following functions:

- (a) advising the Village Board on public safety-related policies related to the Police Department, Fire & Rescue Department, and Emergency Management;
- (b) advising the Village Board on ordinances and policy revisions related to licensing, permitting, public offenses and nuisances and matters of public safety;
- (c) making recommendations on alcohol license issuance and renewal, including conducting operator license hearings as required by policy; and
- (d) making recommendations on fees and charges for emergency and protective services.

Section 26. Section 2-429, 2-430 and 2-431 of the McFarland Municipal Code are repealed.

Section 27. Section 2-432 of the McFarland Municipal Code is repealed and recreated to read as follows:

Sec. 2-432. Public Works & Utilities Committee.

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

- (a) preparing and recommending an annual budget to the Village Board reflecting needed expenditures and anticipated revenues for all Village utilities;

- (b) recommending adjustments to sewer and stormwater rates and filing water rate modification requests with the Wisconsin Public Service Commission when authorized to do so by the Village Board.
- (c) preparing and recommending to the Village Board a capital improvement plan for public improvements, facilities, vehicles and equipment.
- (d) preparing and maintaining a 10-year plan for road paving and utility capital improvements and replacements.
- (e) developing policies for efficient operations and services delivery by the Public Works and Utilities departments, and evaluating the quality the service provided.
- (f) reviewing plans and specifications intended for public construction.
- (g) recommending to the Village Board the solicitation of bids for public construction projects and the award of contracts for such work.
- (h) advising 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.
- (i) reviewing the Village's official map on an annual basis and recommending appropriate changes to the Village Board.
- (j) advising the Village Board on transportation matters, including local roads, highways, and pedestrian and bicycle corridors.
- (k) reviewing and making recommendations to the Village Board and Plan Commission on land development and redevelopment proposals to the extent they affect public utilities or other public facilities.
- (l) reviewing and facilitating the filing of required state, federal or other regulatory reports relating to public utilities and other facilities.
- (m) performing such other functions as provided in this Code or as requested by the Village Board relating to public works and utilities.
- (n) advising the Village Board on matters relating to the collection and disposition of solid waste and recyclable materials and the acquisition, maintenance and disposition of public works or utility vehicles and equipment.

Section 28. Sections 2-433 and 2-434 of the McFarland Municipal Code are repealed.

Section 29. Section 2-435 of the McFarland Municipal Code is renumbered to Section 47-2.

Section 30. Section 4-436 of the McFarland Municipal Code is repealed.

Section 31. Section 2-437 of the McFarland Municipal Code is renumbered to Section 47-1 and amended to read as follows:

Sec. 47-1. - Management, operation and control.

(a) Management. The management, operation, and control of the public water system, sewer system, and storm water system for the Village shall be vested in the Village Board. All records, minutes and all written proceedings thereof shall be kept by the Village Clerk-Treasurer.

(b) Construction authority. Public Works & Utilities Committee shall oversee the progress of construction projects authorized by the Village Board for water and sewer facilities and shall advise the Village Board with respect to such projects.

Section 32. Section 2-448 of the McFarland Municipal Code is repealed.

Section 33. Section 2-459 of the McFarland Municipal Code is repealed and recreated to read as follows:

Sec. 2-459. Senior Outreach Committee.

The Senior Outreach 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.

Section 34. Sections 2-461 and 2-462 of the McFarland Municipal Code are repealed.

Section 35. Section 2-461 is recreated to read as follows:

Sec. 2-461 Diversity, Equity, and Inclusion Committee.

The Diversity, Equity, and Inclusion Committee is responsible for the following functions:

- (a) making recommendations to the Village Board on diversity, equity, and inclusion planning, auditing, and related projects;
- (b) serving as a resource, recommending goals, and advising the Village Board on existing and/or proposed ordinances, programs, actions, mission statements, vision statements, long-term Village-wide goals/objectives, and other best practices that promote diversity, equity, and inclusion within the community;
- (c) serving as a resource to Village departments and staff on the development of racially and culturally inclusive structures, programs, and training with equity-sensitive leadership through the Village;
- (d) promoting the Village's efforts to involve residents from underrepresented communities on Village boards, commissions, and committees as well as seeking employment with the Village;
- (e) promoting the Committee to the public in order to help implement outreach and engagement strategies recommended for diversity, equity, and inclusion and assisting in informational opportunities, presentations, open houses, and other public initiatives providing information about the Committee to the public.
- (f) making recommendations to the Village Board for widespread and ongoing diverse public involvement and assisting the Village Board by advising on methods by which the public can better participate in the decision-making process.
- (g) Holding joint meetings with the Village Board at least annually to align goals and objectives.

Section 36. Section 8-906 of the McFarland Municipal Code is amended to read as follows:

Sec. 8-906. - Appeals.

Village Board. The Village Board shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Director of Public Works or designee in administering this Article. The Village Board shall also use the rules, procedures, duties, and powers authorized by statute in hearing and deciding appeals. The Village Board may consider recommendations on appeals made by the Plan Commission or the Public Works & Utilities Committee.

Section 37. Section 47-51(a)(3) of the McFarland Municipal Code is amended to read as follows:

(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 any exception or variance, the Village Board may impose conditions, including requirements for future connection to the public water system.

Section 38. Section 47-51(b) of the McFarland Municipal Code is amended to read as follows:

(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 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 the owner may, within 30 days after the completion of the work, file a written option with the 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 Works & Utilities Committee. The unpaid balance shall constitute a special tax lien, all pursuant to Wis. Stats. §281.45, as amended.

Section 39. Section 47-77(hm) of the McFarland Municipal Code is created to read as follows:

(hm) *Committee.* The Village Public Works & Utilities Committee.

Section 40. Section 47-78(a)(2) of the McFarland Municipal Code is amended to read as follows:

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

Section 41. Section 47-78(b) of the McFarland Municipal Code is amended to read as follows:

(b) The applicant shall 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.

Section 42. Sections 47-79 through 47-160 of the McFarland Municipal Code are amended to replace the term “Public Utilities Committee” with the term “Committee” wherever it appears.

Section 43. Sections 47-241 through 47-272 of the McFarland Municipal Code are amended to replace the term “Public Utilities Committee” with the term “Public Works & Utilities Committee” wherever it appears.

Section 44. Section 47-372(d) of the McFarland Municipal Code is amended to read as follows:

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

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

Section 45. Section 56-119(b) of the McFarland Municipal Code is amended to read as follows:

(b) Deposit required. Following the approval of the Final Plat by the Village Board and prior to the signing of the plat by the Village President and Village Clerk-Treasurer, the subdivider shall deposit sufficient money in the Village Clerk-Treasurer's office to cover the cost of completing the plantings in conformity with the tree and shrub planting plan. The Village Forester will then cause the completion of the plantings during the next season, either spring or fall, following acceptance of the plat's required improvements by the Village. The amount of such deposit shall be established by the Village Forester based on anticipated actual costs of furnishing and installing said plantings. All said money deposited in the Village Clerk-Treasurer's office shall be kept in a separate account to be used solely for the purposes set forth in this Section.

Section 46. Section 59-19(c) of the McFarland Municipal Code is repealed and recreated to read as follows:

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

(1) The Sustainability & Natural Resources Committee shall, subject to the supervision and control of the Village Board and except as herein provided, oversee and direct the maintenance and management of all public trees upon Village-owned property and all other trees which may in any way affect public property or the public welfare, including the planting, care, maintenance, protection, and removal thereof. The Committee shall have the authority to make such rules and regulations, as it may deem applicable for carrying out the purpose of this Article.

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

Section 47. Section 59-20 (intro.) of the McFarland Municipal Code is amended to read as follows:

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

Section 48. Section 59-20(bm) of the McFarland Municipal Code is created to read as follows:

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

Section 49. Section 59-23(a) of the McFarland Municipal Code is amended to read as follows:

(a) Insects and pathogens. The Village Board has determined that there are many trees growing on public and private premises within the Village, the loss of which would substantially depreciate the value of public and private property, impair the use and enjoyment of public and private premises and erode the tax base of the Village, and that the health and life of such trees is threatened by fatal insect infestation and diseases. The Village Board hereby declares its intention to control and prevent the spread of pests and specifically declares oak wilt and the insect vectors of this and other such diseases to be public nuisances. The Committee shall investigate new diseases and nuisances as they come into existence and take actions authorized in this section for such diseases and nuisances.

Section 50. Sections 59-25(b) of the McFarland Municipal Code is amended to read as follows:

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

Section 51. Section 59-25(c)(1)a. of the McFarland Municipal Code is amended to read as follows:

a. All new street trees must be selected from a list of approved trees compiled by the Committee and described within Section 59-35. New trees must be single stemmed with a minimum trunk diameter of one and one-half inches measured at six inches above ground level.

Section 52. Sections 59-29 through 59-59 of the McFarland Municipal Code are amended to replace the term “Natural Resources Committee” with the term “Committee” wherever it appears.

Section 53. *Effective Date.* This Ordinance shall take effect on April 19, 2022.

Section 54. *Non-Code Provisions:*

(a) In any case where a standing committee is comprised of more than 5 citizen members on the date hereof, the Village President may, subject to Section 2-185(a), appoint any incumbent member of such committee to one standing committee having comparable functions and duties notwithstanding the limitation contained in Section 2-183(b) as amended by this Ordinance. Such members may be reappointed, but no new members may be appointed to the same committee until a sufficient number of citizen members on the committee have resigned, declined reappointment, or otherwise vacated their seats such that the new appointment will not cause the committee membership to exceed the size authorized by Section 2-183(b). This Section does not authorize appointments to the Personnel or Finance Committees.

(b) The provisions of Section 2-187(d) shall not apply to any member of a board, commission or committee serving on the effective date of this Ordinance until after the expiration or of his or her current terms on, or resignation from, all but one of such boards, commissions or committees.

The foregoing Ordinance was duly adopted at a regular meeting of the McFarland Village Board on the 28th day of February, 2022.

APPROVED:

Carolyn A. Clow
Village President

ATTEST:

Cassandra Suettinger
Village Clerk-Treasurer

ORDINANCE 2022 –02	
MOTION	SECOND
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Clow -	Wreh -
Brassington -	Flaherty -
Nelson -	St. Clair -
Rupert -	
VOTING RESULTS	
Motion Carried	
Motion Defeated:	