



Village of Black Earth

VILLAGE BOARD MEETING

1210 Mills St. * Black Earth, WI 53515

Tuesday, September 6, 2022

6:00 p.m.

MINUTES

1. Call Meeting to Order/Roll Call: President Hodson called the meeting to order at 6:00 p.m. Upon roll call present: Hodson, Coyle, Patchin, Louis-Reindl, Brammerson, Moyer and Munson. Quorum present. Also present: ACT Benish, PWD Kahl, Judge Isaiah Crowe, Building Inspector Tracy Johnson, Danielle Pellitteri and Mike Foy, Groundswell.

2. Pledge of Allegiance: Recited

3. Proof of Posting: Duly posted.

ACT Benish asked President Hodson if the agenda could be amended to include an Operator's License for Bonnie Hering that came in after agenda posting. Hodson/Patchin motioned to amend the agenda to include the request. Motion approved. 7-0.

4. Public Input. No one present

5. ACTION ITEMS:

- a. Discussion/Action: Annual Court updates by Judge Isaiah Crowe. Judge Crowe present an annual recap on how well Joint Municipal Court is going with Village of Mazomanie. Beth Marth, as court clerk, has done an outstanding job; setting up TRIP with Shellie for \$49k in collections; on line payment system available now as well with no cost to the court; budget considerations – a raise for Court Clerk Marty to \$22/hour comparable to other communities.
- b. Discussion/Action: Building Inspections; new program rollout- Tracy Johnson Inspector. Tracy Johnson present to roll out a new building permit application process online. Applicants will be required to file permit applications online through him and pay online as well. There is testing going on with new application process, training with Village staff this Friday. Hopes to go “Live” within the week. There will be some in person applications that come in the door until folks get used to the concept. Village retains 10% of fees. This new system will require Tracy to send a check to the Village for the 10%. Ordinances will be followed as applications still need to be reviewed by him when they come in. Village will be provided a link for Village website to add. Hodson inquired building permit fee review to be sure we are in line with others. Last increase was in 2018. Tracy will provide to Village.
- c. Discussion/Action on Plan Commission recommendations: Hodson reviewed Plan Commission recommendations. *Louis-Reindl/Munson motioned to approve all as presented. Motion passed on a majority of 6-1 with Brammerson dissenting.*
 - i. Rezoning of: Black Earth Elementary School; Saeman Trust Property
 - ii. Precision Towing CUP change on fencing to 8' metal on lot line by neighbor's survey.
 - iii. Orphic Gardens/Black Earth Lanes beer garden fence, patio and sidewalk.
- d. Discussion/Action on Refuse & Recycling RFP's. Trustee Patchin introduced League of Wis. Municipalities article on revenue sources and needs. Discussed the need to look at an increase in garbage/recycling fees above contract pricing to provide operating revenues we do not get from other resources. Village is restricted on revenue sources and levy limits. Doing so could create revenue, over time, to offset capital purchases needed. Hodson stated he was not a fan of not knowing where the money goes and is unsure how to think about this. Munson, fees could go to specific items such as street projects.

Current Garbage/Recycling contract is up at the end of the year with Town & Country Sanitation. RFP's discussed at August meeting, cost comparisons and changes. ACT Benish read correspondence received from residents for and against cart system. Patchin/Brammerson both discussed issues with current service provider; Munson provided Pellitteri has been to meetings last month and currently to work out issues such as helping our elderly and cart sizes. Danielle Pellitteri, present, offered up:

- i. cart systems providing a reduction in Workman Comp claims from injuries of manual service;
- ii. Elderly concerns: application for elderly available for company to help pick up garbage where they can't bring it to road. No extra fees attached to this service
- iii. Cart sizes: cart sizes are available in 65 gallon and 95 gallon. Would bring samples to Village for residents to decide what is best for them before ordering for community.

- iv. Customer Service: They have an 8 man team for customer service, GPS and cameras on all vehicles. If issue arises, they can review and work through their team to resolve.
- v. Extra Bags: They have solutions to help with extra garbage if it doesn't fit system.

Discussion: Coyle inquired about lids being open, weight limits – Closed is preferred for the system to work correctly. Munson inquired about recycle bags – Clear bags gum up the recycle system, clear bags do not gum up garbage system. Toters have lasted about 20 years and do have a warranty on them. If damaged by homeowner, there is a \$68 fee (current market price) for replacement. Kahl inquired about extra bin at Public Works Shop.

- *Coyle motioned to accept the proposal from Town & Country Sanitation for manual pick up at a 7 year contract. No second to the motion. Motion died.*
- *Patchin/Brammerson motioned to accept Town & Country Sanitation for 1 pass cart system for a 7 year contract. Discussion: No size options from Town & Country accept the 95 gallon cart; Louis-Reindl Town & Country service has been less than acceptable; Brammerson stated Town & Country has not been present at any meeting to discuss their proposal. Motion failed on a 1-6 vote.*
- *Louis-Reindl/Moyer motioned to accept proposal from Pellitteri with size option and elderly pickup option for a 10 year contract with recycling picked up every week. Discussion: Recycle containers are much larger than current bins, contract is a bit less with every other week recycle pickup. Larger containers hold more. No vote on motion.*
- *Louis-Reindl/Moyer **amended** their motion to accept proposal from Pellitteri with size option, elderly pickup option and recycling pick up to every other week for a 10 year contract. Motion passed by majority vote of 6-1 with Brammerson dissenting. Village will have 18 month at current pricing to see how this works out. Pellitteri will work with Shellie and will provide calendar, will need a list of addresses in advance, work on marketing in advance of change to be effective January 1st, 2023*

Amended agenda item: Operator's License for Bonnie Hering, Black Earth Lanes. *Moyer/Hodson motioned to approve Operator's License renewal for Bonnie Hering. Motion approved. 7-0*

- e. Discussion/Action on Dane-Iowa True Up. Coyle introduced at August meeting. True Up funds from Dane-Iowa should go to help offset rates or go back to customers. Discussion on how best to look at this. ACT Benish provided 632 current sewer customers and last true up received was for \$21968.65 in June of 2022. Coyle added that reduced invoices from Dane-Iowa are not factored in to total amount. Amounts were originally required to offset Dane-Iowa addition to the plant and now that it is done feels it should somehow go back to customers. ACT Benish inquired about any future plans for other additions at the plant that would require funds as Village will have to pay then and/or raise fees to offset costs. Also provided sewer debt Village has could be a resource for the true up funds. Coyle inquired about early debt payoffs – possible but are tied to other debt of the Village from refinancing done in 2013. Hodson stated we need to get more numbers possibly from Brian Sroda at Dane Iowa to look at this. ACT Benish recommended Brian from Town & Country Engineering be part of the discussion as well.
- f. Discussion/Action on Resolutions:
 - i. Annual Library Tax Exempt Resolution #2022-07. *Patchin/Coyle motioned to approve annual exemption Resolution as presented. Motion approved 7-0*
 - ii. Support of the purchase of an agricultural conservation easement on the Village Edge, LLC farm in the Town of Black Earth by Groundswell Conservancy Resolution #2022-08. *Louis-Reindl/Moyer motioned to approve Resolution for Village Edge as presented. Discussion: concerns about what contingencies in resolution mean with "quiet enjoyment"; annex of land and future buildings on property. Mike Foy from Groundswell Conservancy present. Stated the resolution is not a binding resolution but a conservancy easement IS binding. Buildings can be to further agricultural use only such as barns but they cannot build a home or any non-agricultural buildings with this easement. Resolution is needed for an appraiser to come in for the Parrell's and provide them the wish of the Village to have trail easement at some point done the road. Money is coming in from the federal government as a "conservation easement"; eminent domain is still there. Hodson stated he is not against allowing a property owner to do what they wish with their property but is against Groundswell promoting conservancy easements. Motion passed by majority on a 6-1 vote.*
 - iii. Recognition of Curt Witynski & Gail Sumi-League of Wis. Municipalities retirees Res. #2022-09. ACT Benish introduced to thank those at the League of Wisconsin Municipalities that have worked hard for our communities and are retiring this year. *Moyer/Brammerson motioned to approve Resolution of gratitude as presented. Motion approved 7-0*

- iv. Combine authorizing Resolution for Urban Forestry Grant and Urban Forestry catastrophic storm grant program Res. #2022-10. ACT Benish introduced this grant opportunity that aligns with Parks Committee for tree placements, maintenance, etc. Resolution needed for the grant application if Village wishes to proceed. Grant deadline is October 3 in which the Village Board will not meet to approve the Resolution required to apply. *Hodson/Brammerson motioned to approve the resolution to allow ACT Benish to apply and submit the grant for the Village. Motion approved 7-0.*
- g. Discussion/Action on Halloween Hours for 2022. *Hodson/Munson motioned to approve Halloween hours from 5-8 pm on Halloween. Motion approved 7-0.*
- h. Discussion/action regarding Village Board minutes of 8/2/2022. *Moyer/Louis-Reindl motioned to approve minutes as presented. Motion approved 7-0.*
- i. Discussion/Action on financials: Treasurer's Report – July 2022; Revenue & Expense-August, 2022. ACT Benish reported \$4 million sitting in all accounts through July 31, 2022. Funds moved to set up escrow account for electric transformer purchase of \$345k from the CD to general checking to escrow account. First payment to City of Evansville made \$109k. Debt payments made in July on 2013 debt for \$86250. Revenues & Expense reports through August 31, 2022. August tax settlements in of \$205k, PILOT outstanding for Benchmark Health care/Heartland. Bankruptcy notice for Benchmark received today; ARPA funds moving to its own segregated account with LGIP for \$140k; electric revenues review by Baird supported capital purchases paid for by Operating Revenues versus borrowing for, recommendation for further review by other firms. Budget timeline handed out. All funds above revenue expectations of 66% and expenses below average. *Patchin/Hodson motioned to approve financials as presented. Motion approved 7-0.*
- j. Discussion/action on Invoices to be paid. *Moyer/Louis-Reindl motioned to approve invoices as presented. Motion approved 7-0.*

6. REPORTS:

- a. Vanguard Commission (Hodson) Met right before Village Board tonight; Surcharge on bucket truck, voted to approve to keep going; reviews will be done at end of year; November 16th next meeting.
 - i. Electrical Superintendent Report (Dilley): Not present
- b. Black Earth Fire District (Moyer): Budget work; \$474 increase expected to the Village; Fire chiefs report given, Mazomanie Fire team up being worked on; \$75k Federal grant received; SCBA replacements. Next meeting November 3, 2022
- c. Dane-Iowa Wastewater Commission (Coyle): financials reviewed; no violations; audit work being planned for September by Johnson & Block. Next meeting September 15 at 6:30 p.m.
- d. Economic Development Committee: (Hodson) Met August 22. Discussed BE School & purchase, Developer's agreement for TIF; Gateway and Chamber presentations; Chamber direction changing, planning a Chili & Wine walk for small business Saturday, November 26, more information coming. Next meeting September 28 at 5:30 pm.
- e. EMS Committee (Brammerson): Has not met. Budget by end of August, next meeting September 18 at 6:30 p.m.
- f. Library Board (Moyer): Met on August 16th. Pie and Book Sale netted \$2200; flooring option approved for library; walk through of New Heights Lutheran Church conducted; July very successful with programs; 2021 levels with COVID by SCLS; next meeting September 20.
 - i. Library Director (Anderson): New carpet is coming in October 24-28th; circulation and door traffic increasing; streaming services increasing; Summer Library Program had 68 participants; 175 bags went out; 31 total events with 455 in attendance; 85 scratch off tickets for prizes (54 free books given); 2 new substitute Library assistants hired; October 21st Local Author Fair at Historical Society coming up; Park Pass was expanded to include Village of Cross Plains and Mazomanie; tour of the church done; dog incident in library – DRAFT animal policy going before next Library Board meeting, guidance from Village and Police will be helpful. Hodson commented on having a policy for the Village that should mirror library, discussion of “service” dogs and certifications.
- g. Public Works Committee (Patchin): Met on August 15. Discussed historical plaque by Children's Museum; jetter demo, sewer deduct procedures, 2023 budget items and moving anything over \$25k to a capital expense.
 - i. Public Works Director (Kahl): PFAS testing – not enough evidence in system to show any results. Nitrates and other testing going on; Mower issues yet – bids on other mowers, hoping to get a multi-purpose unit; jetters, street sweepers; Luke in water certification training; bridge inspection done last week; Cooper property has had electric disconnected and waiting on MG & E to disconnect gas yet. Next meeting just rescheduled to September 19 at 4:30 p.m.

- h. Parks Committee (Brammerson) Met on August 16th at 6 pm. Cooper property update- putting house on Wisconsin Surplus; ballfield discussion; Vet's Park, wheelchair accessible picnic table discussed, John Bird would like to donate one; Olson-Toon donated 3 trees and a 4th approved for purchase; budget discussions. Next meeting September 21 at 6 pm.
 - i. Police Committee (Coyle) Met on August 31. Schuetz elected as Committee Chair; Active Shooter training at Village Hall on September 14; Homecoming and School Grand Opening on September 30; Homecoming parade in Black Earth this year. Discussion of Kartman's hours, overtime and County pulling resources; new officer scheduled to be in Black Earth November 19th; discussion of policing resources for next meeting. Next meeting set for September 27, 2022
- 7. Any Other Business That May Be Brought before the Board on future agendas:** Animal Policy; Garbage Revenue Source
- 8. Meeting Announcements:** Village Board meeting October 4, 2022; Active Shooter 9-14 at 5:30 pm; JRB –TIF 9-14 at 4:30 pm via Zoom.
- 9. Adjournment of Village Board Meeting.** *Moyer/Patchin motioned to adjourn meeting. Motion approved 7-0. Meeting adjourned at 8:16 p.m.*

Respectfully Submitted,

Shellie Benish, WCMC
Administrator/Clerk/Treasurer

Village Board Members: Village Board Members: Mitch Hodson, James Coyle, Scott Patchin, Pam Louis-Reindl, Jared Brammerson, Terry Moyer and Tyler Munson.