

**Joint Village/Town Negotiation Committee Minutes**  
**April 17, 2013**

Town representatives present: Keith Seward, Bob Elkins and Dale Hustad. Village representatives present: Roger Truttmann, Kevin Budsberg and Dan Gartzke. Also in attendance: Village Administrator Nicholas Owen

1. Call to Order - Meeting was called to order at 6:00 p.m. by Chair, K. Seward
2. Announcement: All cell phones are to remain silent during the meeting
3. Approval of Agenda: Motion by K. Budsberg to approve the agenda as presented, R. Elkins second by. Motion carried.
4. Approval of Minutes of 03/06/2013 Meeting: Motion by K. Budsberg, second by R. Elkins to approve the minutes as presented. Motion Carried.
5. Discussion – Village’s Interest and Intentions for Cooperative Boundary Agreement: K. Seward explained that with change in administration and other factors including recent Village intent not to reaffirm support of the \$1,000,000 financing of the new library, the Town was looking for direction from the Village on whether or not to continue working on a Cooperative Boundary Agreement. R. Truttmann stated that his understanding was that the Village submitted a memo to the Town Board listing their requested changes to the CBA, based on Attorney Bechler’s recommendations and felt the items would need to be negotiated with the Town.

K. Seward referenced the revenue sharing as a critical issue. In his opinion, if the Village was not willing or able to participate in the revenue sharing at the end of the process, then the Town would likely not be interested in sharing revenue during the span of the agreement. K. Seward reminded the committee that the issue of revenue sharing has been an integral part of the negotiation talks from the beginning.

N. Owen clarified that based on the current shared revenue formula would be tough for the Village to follow based on the way the current tax levy limit worksheet treats annexations. The State formula states that the Village would only be able to raise their levy by the amount the properties were taxed the previous year. In addition, N. Owen explained that the Village would not be able to tax those properties that were newly annexed for services provided by the Village.

K. Seward stated that the Village would likely be gaining several million dollars in assessed valuation. Owen maintained that the Village would not be able to take full advantage of the annexations under the levy limits. The Village would only be able to increase the levy if there was new growth elsewhere in the Village. Seward felt that the burden of increased taxes to provide revenue sharing, would be shared on both sides with the Town residents feeling the pressure during the process and the Village residents feeling the impact towards the end of the process.

The other issue is with whom is the Town negotiating? Is it Attorney Bechler, the Village Board or the negotiating team? N. Owen clarified that the Town would be negotiating through the negotiating committee in an advisory capacity and that the Village Board would make the final decisions. Seward explained that many of the issues Bechler identified had already been discussed and agreed upon in the agreement that the Town signed.

D. Hustad asked how much of the Village’s 4/5/13 list is negotiable and what elements are deal breakers. He explained that it was his understanding that this group has been meeting for over 3 years and during that time they have gotten input from the Town Board. He understood that the

payment guideline of the 10 year payment of the revenue sharing from the Village to the Town has been an integral part of the agreement from the beginning and in exchange for that, the Village would get financial support for the library. Hustad asked if the Village's commitment to their payment to the Town over the 10 years after annexation were removed, what would the Town get from the Village in exchange for their financial support of the new library?

D. Gartzke replied that not having land annexation to the Village during that period would be an advantage to the Town. Hustad felt this was an uncertainty whereas the payments for the library would be guaranteed. D. Hustad noted that if there were no annexations during this time, the Village would not owe the Town anything in exchange. N. Owen stated that everyone would benefit from having a better library and it was at the Town's priority that the funds received from this agreement would go directly to the library and not the Village.

K. Budsberg asked if all the Attorney's recommendations were agreed upon by the Town, would the Village Board adopt the CBA. R. Truttmann answered if the 4/5/13 list of items were accepted by the Town, the Village Board would most likely accept. He noted that only one board member has changed since the last time the agreement was presented. N. Owen noted that he didn't feel the Village Board would have asked him to forward the memo to the Town if they were not interested in going forward with the negotiations.

K. Seward expressed frustration with the Village Attorney's opinion coming in so late in the negotiations. He asked why the opinion came in so late. K. Seward felt that the last three bullet points on N. Owen's 4/5/13 memo were critical to the Town. Seward asked for a straw vote on whether the body wishes to continue negotiating the CBA. R. Truttmann replied yes, D. Gartzke said yes, D. Hustad said only if there would be movement on the last three items on the list,

K. Budsberg stated that in his opinion, the group took a significant step when this negotiation committee forwarded a "final draft" to their respective boards. He felt it was a greater step when the Town approved the last CBA draft. He felt that his intent for agreeing to an extension on this process was to work out minor differences of that draft not to re-negotiate major issues. He felt that if the memo from the Village were a list of demands he considered them more than minor adjustments to the agreement and felt the process would have to be restarted. In addition, he felt that the memo was an indication that the Village Board was unhappy with the direction the committee was taking and did not feel the committee could make progress in the negotiation process without clear direction from the Village Board. D. Gartzke suggested that an item be added to the next Village board meeting asking for direction.

D. Hustad suggested that based on his perception of the discussion, perhaps the Village could determine:

1. Are the items on the April 5 memo non-negotiable?
2. If the Village determined that they are non-negotiable and if the Town, in response to the last three bullets were to remove their additional support of the new library, would the Village still be interested in going forward with a Cooperative Boundary Agreement? K. Seward noted there would still be significant joint issues beneficial to both municipalities.

R. Elkins commented that he felt the Village Board was a bit late to the party and did not see how negotiations could continue without direction from the Village Board.

R. Truttmann asked K. Budsberg if he felt these issues should be brought back to Village Board for direction. Budsberg agreed that the Village Board needs to provide their representatives with clear direction.

K. Seward reiterated that many of the items on 4/5/13 memo had been already negotiated

but felt that the last three items were critical to the Town's agreement of a CBA. R. Truttmann will take the memo back to the Village Board and ask for input at the next Village Board meeting scheduled for May 7, 2013 at 7:00 p.m. He will also seek support for the Joint Negotiation Committee to accelerate the process by meeting twice a month in an attempt to meet the extension deadline.

6. Consider Alternate Joint Negotiation Members by Town and Village Boards: K. Seward suggested that in view of the rapidly approaching deadline, that an alternate member be added to each side of the negotiation committee. K. Budsberg objected to adding alternate members and reiterated that he thought the purpose of the extension was to make minor adjustments to the agreement and that adding new members would complicate the process.

D. Gartzke moved that each side consider having an alternate member named to the committee that would be a non-voting member unless one of their regular members was absent, R. Elkins 2<sup>nd</sup>. D. Gartzke called the question. K. Seward asked for a roll call vote. K. Budsberg voted nay; R. Elkins voted aye; K. Seward voted nay; D. Gartzke voted aye; D. Hustad voted aye and R. Truttmann voted nay. Motion failed.

7. Set Target Meeting Schedule Through to Village Board Approval of Cooperative Boundary Agreement: without objection, the next two meetings will be at the Town Hall on May 9 at 6 p.m. and May 20 at 6 p.m.
8. Adjourn: Motion by K. Budsberg to adjourn, second by R. Elkins. Motion carried at 7:18 p.m.

Patricia I. Salter, Clerk-Treasurer  
Town of New Glarus