Village of Hales Corners

5635 S. New Berlin Road
Hales Corners, WI 53130
Phone: (414) 529-6161
Fax: (414) 529-6179
www.halescorners.org

James R. Ryan Municipal Building

VILLAGE BOARD - COMMITTEE OF THE WHOLE

September 8, 2020 (Tuesday) - 6:45 PM

Meeting Notice/Agenda

Notice is hereby given that the Village Board will meet as a Committee of the Whole (COW), at the above date and time, at the James R. Ryan Municipal Building (5635 S. New Berlin Road).

Pursuant to the current recommendation of the Centers for Disease Control and Prevention limiting the size of gatherings and the various federal and state orders implementing that recommendation, and to help protect the community from the Coronavirus (COVID-19) pandemic, members of the Committee of the Whole may attend this meeting in an electronic remote platform. The public may request access to the meeting in an electronic remote platform provided they submit the request to the Clerk within 48 hours of the meeting. The public may also attend the meeting with limited seating in the Board Room. Those requesting to speak under public comment must sign in prior to the meeting and will be allowed to speak in the order received.

AGENDA

1.0 ROLL CALL

2.0 PUBLIC COMMENT

3.0 AGENDA ITEMS

3.1 Minutes: August 3, 2020

3.2 Class "B" Beer Class "C" Wine license – Mama Bev's LLC, 5620 S/. 108th St, Gary Plassmeyer, agent

3.3 Class "A" Beer License – Janesville Road BP LLC, 11931 W. Janesville Rd, James Gedig, agent

3.4 Memorandum of Understanding – WPPA regarding lateral transfer offers of employment

3.5 Regulation on the keeping of chickens in the Village of Hales Corners

3.6 Code Enforcement Report – August

3.7 Payroll Tax Deferral – President Executive Order

3.8 Purchase of computer server for Municipal Court & Police Department and Budget Amendment for computer replacement fund

3.9 Intergovernmental Agreement for COVID-19 testing between Village of Hales Corners Health Department and Milwaukee County Office of Emergency Management

3.10 2nd Quarter Financial report

3.11 Budget 2021 Update

3.11.1 Recommendation on dates and format for Department meetings

3.12 Audit RFP – recommendation from review committee

3.13 Awards & Recognition Committee – update on board plaques and photos

3.14 Village Administrator Evaluation

The Committee may enter closed session pursuant to Wis. Stat. §19.85(1)(c), for consideration of the employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, for the annual review of the Village Administrator over which the governmental body has jurisdiction or exercises responsibility, and to re-enter open session at the same place thereafter to act on such matters as discussed therein as it deems appropriate.

4.0 ADJOURNMENT

Sandra M. Kulik, Village Administrator
September 3, 2020

NOTE: Issues that require public input or for which citizens are present will receive priority on the agenda. Hearing or speech impaired persons who require special services should notify the Village staff in advance of the meeting.

Committee of the Whole
September 8, 2020

AGENDA SUPPLEMENT

#	ITEM
3.1	Minutes – presented
3.2	Mama Bev's License Request – owner will be present for item.
3.3	Request for Class "A" packaged beer license – owner and / or legal representation will present item.
3.4	MOU – WPPA – S. Kulik to present.
3.5	Chickens – referred from May, 2020 COW
3.6	Code Enforcement Report – August
3.7	Payroll Tax Deferral - S. Kulik to present.
3.8	Court & PD Server – S. Kulik to present.
3.9	IGA – Covid Testing Site – S. Kulik to present.
3.10	2nd Quarter Financial Report – S. Kulik to present.
3.11	Budget 2021 – S. Kulik to present.
3.12	Audit RFP – S. Kulik to present
3.13	Awards & Recognition Committee – referred from 08/24/2020 BOT
3.14	Village Admin. Eval – referred from 08/24/2020 BOT

Sandy Kulik (09.03.2020)

COMMITTEE OF THE WHOLE - Minutes
August 3, 2020

Village of Hales Corners, WI
5635 S. New Berlin Road

The meeting was called to order at 6:45 p.m. by Chair L. Bergan.

1.0 **Roll Call** – Present: Chair L. Bergan. Trustees: M. Bennett, K. Meleski, D. Schwartz, M. Stahl and Pres. D. Besson. R. Brinkmeier absent and excused. Staff: Administrator S. Kulik, Health Director K. Radloff, Library Director P. Laughlin, DPW Director M. Martin. Other Audience (2).

2.0 **Public Comment** – none.

3.0 **Agenda Items**

3.1 **Minutes: July 7, 2020** – M. Stahl commented on correction to attendees that P. Radloff should be P. Laughlin. No other corrections noted minutes to be filed with the technical correction as noted.

3.2 **Refuse and Recycling Contract** – M. Martin addressed the Committee regarding a proposal from Advanced Disposal for a three year and five year renewal provided a request for proposal would not be issued. M. Martin read through the memo included in the packet. M. Bennett question regarding reported rates from other municipalities and whether those rates were above current rates. M. Martin responded that her understanding was correct. M. Bennett question on whether the 10% over the term of five years seemed reasonable. M. Martin commented that he felt it was likely to not even cover wages and benefits. D. Besson question regarding whether Village RFP was ready to be published. M. Martin commented primarily but a few minor changes to the dates it would be ready to go within a couple of days. S. Kulik commented she is wondering if the turnaround for the RFP would be received in time to budget appropriately as special resolutions are required to special charge the refuse and recycling to the homeowners and it is critical that we get that figure in time as it cannot be recouped. D. Besson question to representatives of Advanced Disposal if they would accept a one year extension and goes out to bid in 2021 in the spring and would move to recommend a one year contract. M. Martin commented that they should speak with the representatives present. J. Johnson, Advanced Disposal addressed the Committee regarding their proposal and requested a brief moment to discuss a one year agreement with his firm. S. Kulik requested clarification on whether there is any fuel volatility in the contract. J. Johnson commented there is not as they have converted their fleet to natural gas which does not have the volatility that standard fuel has as well as improved overall expenses for Advanced Disposal which has yielded stability in contract pricing and is environmentally friendly. K. Meleski commented that he had seen this come through the Public Works Commission and he feels the numbers are reasonable. J. Johnson returned with comment that Advanced is not interested in a one year agreement. S. Kulik question on whether at any point in the term of the contract they would foresee requesting that the Village reduce services. J. Johnson responded that he did not but sometimes municipalities will request changes to reduce expenses but nothing presented by his firm. D. Besson question on how long Advanced has been our contractor and how many times the Village has gone out to bid. J. Johnson commented that it has been approximately 20 years that they have served the Village and M. Martin reported that it has been bid at least twice.

Motion (Schwartz, Besson) to forward to the Village Board for approval a 3 year contract agreement as proposed by Advanced Disposal with a mandatory requirement to bid this out prior to the end of the term; motion approved 6-0-1.

3.3 **Change of Agent – Dorios LLC - S**. Kulik commented that the license was still issued to Dorios LLC but the primary agent needs to be changed. Motion (Stahl, Meleski) to forward to the Village Board for approval, motion approved 6-0-1.

3.4 **COVID Grant Fund** – S. Kulik presented proposed fund and budget amendment needed to address revenues and expenses for the COVID grant programs. Motion (Schwartz, Bennett) to forward to the Village Board for approval; motion approved 6-0-1.

3.5 **Village Hall Meeting Room Use** – S. Kulik request to continue to restrict facility use to governmental meetings and functions through the end of September to coincide with the mask order and to revisit the use of the space at the October Committee of the Whole. Motion (Schwartz, Meleski) to forward to the Village Board the recommendation that meeting rooms remain restricted as requested; motion approved 6-0-1.

3.6 **July Code Enforcement Report** – S. Kulik referred members to the report included in the packet.

3.7 **2020 G.O. Note update** – S. Kulik presented Wisconsin Public Finance Professionals report and timeline for the upcoming debt issuance. She reported that rates have continued to decline which are favorable for the issuance. No action taken.

3.8 **September Calendar** – S. Kulik presented meeting calendar. She commented that by September 23, 2020 the November absentee ballots will be here and need to be processed. No action taken.

3.9 **Board Room Hearing Loop update** - D. Besson reported on vendor quote to install a hearing loop that is under the budgeted amount. No action taken.

3.10 **Governors Statewide Face Covering Executive Order #82 - D**. Besson commented that materials included in the packet were informational only and that enforcement efforts will be towards education rather than citation efforts. S. Kulik commented that the State Elections Commission sent out a directive that it is illegal to require a mask in a polling location as it would prevent their legal right to vote and no actions will be taken in any form with voters throughout the election cycles. We have taken advantage of free signage for curbside voting that will be encouraged for those concerned about entering the polling site. No action taken.

3.11 **Awards and Recognition Committee request for funding and update on actions** – D. Schwartz reported on activities and requested funds to begin updating the plaques. Motion (Besson, Meleski) to authorize the Awards Committee to incur up to $800 towards the preparation of the plaques and labor for permanent affixing of the photos to the walls to Ideal Logo and forward to the Village Board. Motion passes: 6-0-1. Comment by D. Schwartz that an update will be provided to the Committee in September.

3.12 **ICC Proposals:** D. Besson commented that these items will be on the ICC agenda in September and an update will be provided at that time. No action requested on any matters.

- 3.12.1 Request by ICC Funded Training proposal for ICC members on "The Hidden Impact of Segregation" at a cost to the ICC of $2,500 (virtual training environment)
- 3.12.2 Request by ICC to provide demographic profile including race of elected officials, appointed officials and employees
- 3.12.3 Request by ICC to provide information on Village laws or ordinances that enforce segregation that have not yet been repealed
- 3.12.4 ICC request to commit to make municipal reforms in the Village of Hales Corners with respect to racial equity
- 3.12.5 Request by ICC on proposal to add racial equity discussion to monthly ICC agendas
- 3.12.6 ICC request to engage Milwaukee Metropolitan Area Chamber (MMAC) to educate ICC on diverse workforce initiatives.

3.13 Wisconsin Professional Police Association (WPPA) 2021-23 Collective Bargaining Unit Contract Proposal

Motion (Besson, Stahl) to enter close session pursuant to Wis. Stat. §19.85(1)(e), to deliberate upon a represented Police staff bargaining unit proposal, between the Village

of Hales Corners and the Wisconsin Professional Police Association, the negotiation of the agreement terms and the investing of public funds in relation thereto, for competitive and bargaining reasons, and to re-enter open session at the same place thereafter to act on such matters as discussed therein as it deems appropriate. Roll Call: Bennett, Besson, Meleski, Schwartz, Stahl, Bergan. Nays: None. Committee convened in close session at 7:55 p.m.

Motion (Schwartz, Besson) to return to open session. Roll Call: Bennett, Besson, Meleski, Schwartz, Stahl, Bergan. Nays: None. Committee re-convened in open session at 8:25 p.m.

Motion (Besson, Schwartz) to forward to the Village Board for approval Wisconsin Professional Police Association (WPPA) 2021-23 Collective Bargaining Unit Contract Proposal as presented; motion approved 6-0-1.

4.0 Adjournment- Motion to adjourn (Schwartz, Stahl) at 8:27 p.m.; unanimously approved.

Submitted,

Sandra M. Kulik, Administrator

DRAFT

Auxiliary Questionnaire
Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name *(please print)* *(last name)*	*(first name)*	*(middle name)*		
PLASSMEYER	GARY	CHRISTOPHER		
Home Address *(street/route)*	Post Office	City	State	Zip Code
[redacted]		MUSKEGO	WI	53150
Home Phone Number	Age	Date of Birth	Place of Birth	
[redacted]	43	[redacted]	ST. LOUIS MO.	

The *above named individual* provides the following information as a person who is *(check one)*:

☐ Applying for an alcohol beverage license as an **individual**.

☒ A member of a **partnership** which is making application for an alcohol beverage license.

☐ GARY PLASSMEYER *(Officer / Director / Member / Manager / Agent)* of MAMA BEV'S BAKERY LLC *(Name of Corporation, Limited Liability Company or Nonprofit Organization)*

which is making application for an alcohol beverage license.

The *above named individual* provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 18 YEARS
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ..... ☐ Yes ☒ No
   If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. *(If more room is needed, continue on reverse side of this form.)*
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ..... ☐ Yes ☒ No
   If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ..... ☐ Yes ☒ No
   If yes, identify. *(Name, Location and Type of License/Permit)*
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ..... ☐ Yes ☒ No
   If yes, identify. *(Name of Wholesale Licensee or Permittee)* *(Address By City and County)*
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
9TH SLICE PIZZA CO	5610 S. 108TH ST HALES CORNERS WI	4/17	1/20
Employer's Name	Employer's Address	Employed From	To

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000.

(Signature of Named Individual)

3.2

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 9/29/20 (mm dd yyyy) ending: 6/30/21 (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☒ Village of ☐ City of } Hales Corners

County of Milwaukee

Aldermanic Dist. No._____ (if required by ordinance)

Check one: ☐ Individual ☐ Partnership ☒ Limited Liability Company ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number 456-1030256687-02	
FEIN Number 83-3501831	
TYPE OF LICENSE REQUESTED	**FEE**
☐ Class A beer	$
☒ Class B beer	$ 100
☒ Class C wine	$ 100
☐ Class A liquor	$
☐ Class A liquor (cider only)	$ N/A
☐ Class B liquor	$
☐ Reserve Class B liquor	$
☐ Class B (wine only) winery	$
Publication fee	$ 28
TOTAL FEE	$ 228

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
MAMA BEVS BAKERY LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
PLASSMEYER	GARY	C	[redacted]
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name MAMA BEVS Business Phone Number [redacted]
2. Address of Premises 5620 S. 108TH ST Post Office & Zip Code HALES CORNERS WI 53130
3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
   STORED IN LOCK CABINET + REFRIGERATED COOLER
   TO BE SERVED IN DINING ROOM ONLY
4. Legal description (omit if street address is given above):
5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ..... ☒ Yes ☐ No
   (b) If yes, under what name was license issued? 9TH SLICE PIZZA CO.

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ..... ☐ Yes ☒ No

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? ..... ☐ Yes ☒ No
If yes, explain.

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ..... ☐ Yes ☒ No

9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date 1/1/2019 of registration.

   (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ..... ☐ Yes ☒ No

   (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☒ No
   If yes, explain.

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ..... ☒ Yes ☐ No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ..... ☒ Yes ☐ No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ..... ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.)	Title/Member	Date
PLASSMEYER GARY C	OWNER	9/2/20
Signature	Phone Number	Email Address
	[redacted]	GARY@MAMABEVS.COM

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

AT-106 (R. 3-19)

Village of Hales Corners

Memo

To: Village Board

From: Sandy Kulik, Village Administrator

Date: September 3, 2020

Re: Agenda Item : 3.3 Class "A" License request

This item is a request from Janesville Road BP, LLC for a packaged beer / malt beverage (Class "A") license. Currently, the Village has six (7) of these licenses issued and authorized.

An ordinance amendment would be required to grant this application.

3.3

33 East Main Street
Suite 500
Madison, WI 53703-3095

Mailing Address:
P.O. Box 2038
Madison, WI 53701-2038

Phone:
608.257.7181

Fax:
608.257.2508

www.murphydesmond.com

Matthew J. Fleming
Direct Line 608.268.5606
Facsimile 608.257.4333
mfleming@murphydesmond.com

MurphyDesmond S.C.
LAWYERS

go to Sept Cow
email agenda

23 July 2020

VIA FIRST CLASS MAIL

Ms. Sandra M. Kulik, Clerk
Village of Hales Corners
5635 South New Berlin Road
Hales Corners, WI 53130

Re: Class A Beer Retail Alcohol License Application

Dear Clerk Kulik:

Enclosed please find an application for a Class A Beer Retail Alcohol License for Janesville Road BP LLC. Please also find auxiliary questionnaires for James Patrick Gedig and Patrick Steven Gedig. Finally, also enclosed is the application fee in the amount of $100.

Please let me know if anything else is required in order to process this application.

Sincerely,

Matthew J. Fleming

203772
Enclosures
4827-7842-8356, v. 1

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07/01/2020 (mm dd yyyy) ending: 06/30/2021 (mm dd yyyy)

To the Governing Body of the: ☐ Town of ☑ Village of ☐ City of HALES CORNERS

County of MILWAUKEE

Aldermanic Dist. No. _____ (if required by ordinance)

Check one: ☐ Individual ☐ Partnership ☑ Limited Liability Company ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number	
456102931465802	
FEIN Number 81-4522145	
TYPE OF LICENSE REQUESTED	**FEE**
☒ Class A beer	$
☐ Class B beer	$
☐ Class C wine	$
☐ Class A liquor	$
☐ Class A liquor (cider only)	$ N/A
☐ Class B liquor	$
☐ Reserve Class B liquor	$
☐ Class B (wine only) winery	$
Publication fee	$
TOTAL FEE	$

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
JANESVILLE RD BP, LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
GEDIG	PATRICK	STEVEN	7240 S. NORTH CAPE RD, FRANKLIN, WI. 53132
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
GEDIG	JAMES	PATRICK	7240 S. NORTH CAPE RD, FRANKLIN, WI.53132
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
GEDIG	JAMES	PATRICK	7240 S. NORTH CAPE RD, FRANKLIN, WI.53132
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name JANESVILLE RD BP Business Phone Number 414-425-9806
2. Address of Premises 11931 W. JANESVILLE RD Post Office & Zip Code 53130
3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

   Main building; storage cooler; floor display

4. Legal description (omit if street address is given above): _____
5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ..... ☐ Yes ☑ No

   (b) If yes, under what name was license issued? _____

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? **If yes, explain** ..... ☐ Yes ☑ No

7. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? ..... ☐ Yes ☑ No
If yes, explain.

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? **If yes, explain** ..... ☐ Yes ☑ No

9. (a) **Corporate/limited liability company applicants only:** Insert state WI and date _____ of registration.

(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? **If yes, explain** ..... ☐ Yes ☑ No

(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☐ Yes ☑ No
If yes, explain.

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ..... ☑ Yes ☐ No

11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ..... ☑ Yes ☐ No

12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ..... ☑ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.)	Title/Member	Date
GEDIG, JAMES, P	AGENT	6-18-20
Signature	Phone Number	Email Address
	[redacted]	[redacted]

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

AT-106 (R. 3-19)

Auxiliary Questionnaire
Alcohol Beverage License Application

Submit to municipal clerk.

Driver License Number:

Individual's Full Name *(please print)* *(last name)*	*(first name)*	*(middle name)*
Gedig	James	Patrick

Home Address *(street/route)*	Post Office	City	State	Zip Code
7240 S North Cape Rd		Franklin	WI	53130

Home Phone Number	Age	Date of Birth	Place of Birth
[redacted]	50	[redacted]	Milw. WI

The *above named individual* provides the following information as a person who is *(check one)*:

☐ Applying for an alcohol beverage license as an **individual**.

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☑ Member *(Officer / Director / Member / Manager / Agent)* of Janesville rd BP LLC *(Name of Corporation, Limited Liability Company or Nonprofit Organization)*

which is making application for an alcohol beverage license.

The *above named individual* provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? all life
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ..... ☐ Yes ☑ No
   If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. *(If more room is needed, continue on reverse side of this form.)*
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ..... ☐ Yes ☒ No
   If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ..... ☐ Yes ☒ No
   If yes, identify. *(Name, Location and Type of License/Permit)*
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ..... ☐ Yes ☒ No
   If yes, identify. *(Name of Wholesale Licensee or Permittee)* *(Address By City and County)*
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
DC. Burbach	Wawkesha WI Duplainville rd	99 -	2013
T3	Canal str: Milw WI	97	99

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000.

(Signature of Named Individual)

Auxiliary Questionnaire
Alcohol Beverage License Application

Submit to municipal clerk.

Driver License Number:
G350-6774-6476-06

Individual's Full Name *(please print)* *(last name)*	*(first name)*	*(middle name)*
GEDIG	PATRICK	STEVEN

Home Address *(street/route)*	Post Office	City	State	Zip Code
7240 S. NORTH CAPE RD		FRANKLIN	WI	53132

Home Phone Number	Age	Date of Birth	Place of Birth
[redacted]	73	[redacted]	INDIANAPOLIS, IN

The *above named individual* provides the following information as a person who is *(check one)*:

☐ Applying for an alcohol beverage license as an **individual**.

☐ A member of a **partnership** which is making application for an alcohol beverage license.

☒ AGENT *(Officer / Director / Member / Manager / Agent)* of JANESVILLE RD. BP LLC *(Name of Corporation, Limited Liability Company or Nonprofit Organization)*

which is making application for an alcohol beverage license.

The *above named individual* provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 65 YEARS
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ..... ☒ Yes ☐ No
   If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. *(If more room is needed, continue on reverse side of this form.)*
   DUI 1995 DUI EST 1992 180 DAYS HUBER OVER →
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ..... ☐ Yes ☒ No
   If yes, describe status of charges pending.
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ..... ☐ Yes ☒ No
   If yes, identify.
   (Name, Location and Type of License/Permit)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ..... ☐ Yes ☒ No
   If yes, identify.
   (Name of Wholesale Licensee or Permittee) *(Address By City and County)*
6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
JANESVILLE RD. BP LLC	11931 W. JANESVILLE RD	1/1/17	6/20/20
13TH ST SHELL LLC	6311 S. 13 ST	1980	12/18

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than $1,000.

(Signature of Named Individual)

ACCESSORY TO TAX FRAUD 1995. 1YR HOUSE ARREST.

MJF:daz

ACKNOWLEDGED:

JANESVILLE ROAD BP LLC

By: _____
Pat Gedig

Its: MEMBER

Dated: 6/24/2020

4838-7995-0528, v. 1

Village of Hales Corners

Memo

To: Village Board

From: Sandy Kulik, Village Administrator

Date: September 3, 2020

Re: Agenda Item : 3.4 MOU with WPPA

A provision in the WPPA agreement to allow the Chief to hire "lateral" employees from other departments was agreed to but missed in the collective bargaining agreement.

Both the Union and our Labor Attorney have reviewed the document and approved its form.

This provision positions the Village to be more competitive in our recruitment efforts.

3.4

STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF HALES CORNERS

RESOLUTION NO. 20 – XX

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE HALES CORNERS POLICE OFFICERS ASSOCIATION WISCONSIN PROFESSIONAL POLICE ASSOCIATION (WPPA) / LAW ENFORCEMENT EMPLOYEE RELATIONS DIVISION DEFINING LATERAL TRANSFER OFFERS OF EMPLOYMENT

WHEREAS, the Village Board of Trustees approved a collective bargaining unit agreement between the Hales Corners Police Association Wisconsin Professional Police Association / Law Enforcement Employee Relations Division and the Village for members of the unit from the Hales Corners Police Department for the period beginning January 1, 2021 through December 31,2023; and

WHEREAS, the a provision regarding the criteria for extending offers of employment to candidates in good standing by another law enforcement agency had been agreed to but was not included in the final contract that was ratified; and

WHEREAS, both the members of the bargaining unit and the Village of Hales Corners desire to include this language to enhance recruitment efforts.

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Hales Corners, Wisconsin, that the attached exhibit A, Memorandum of Understanding agreement between the Village of Hales Corners and the Hales Corners Police Association Wisconsin Professional Police Association / Wisconsin Law Enforcement Employee Relations Divsion in the form and content as presented, be and the same is hereby approved.

BE IT FURTHER RESOLVED, that the Village President and the Village Administrator/Clerk be and the same are hereby authorized to execute and deliver the aforesaid Agreement.

PASSED and ADOPTED this ___th day of _____, 2020.

_____
Daniel J. Besson, Village President

(VILLAGE SEAL)

_____
Sandra M. Kulik, Administrator/Clerk

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE VILLAGE OF HALES CORNERS
AND
THE HALES CORNERS' POLICE OFFICERS'ASSOCIATION,
Represented by
WISCONSIN PROFESSIONAL POLICE ASSOCIATION/
LAW ENFORCEMENT EMPLOYEE RELATIONS DIVISION

The Village of Hales Corners ("Village") and the Hales Corners' Police Officers' Association ("Association") are parties to a collective bargaining agreement in effect from January 1, 2021 through December 31, 2023.

WHEREAS, negotiations resulted in an agreement regarding expanding the definition of probationary and seniority under Article V Section A (2)(i). that would allow for officers in good standing by another law enforcement agency to be hired by the Village while not impacting seniority.

WHEREAS, any change in the language contained in the agreement between the parties must be agreed to by the parties.

NOW, THEREFORE, the parties to this MOU agree as follows:

1. To add language contained in ARTICLE V – PROBATIONARY PERIOD AND SENIORITY, section A. DEFINITIONS, Subsection 2, specifically,

   "i. Candidates currently employed in good standing by another law enforcement agency will have the candidate's certification date with the Wisconsin Law Enforcement Standards Board utilized to calculate the benefits of: wage rate, vacation accrual and uniform allowance upon hire without affecting any other matters of seniority."

Dated and signed at Village of Hales Corners, Wisconsin this _____ day of _____, 2020.

VILLAGE OF HALES CORNERS

_____
President

_____
Village Administrator

HALES CORNERS' PROFESSIONAL POLICE ASSOCIATION

_____
President

_____
Vice President

_____
WPPA/LEER Representative

3.5

Village of Hales Corners

Memo

To: Village Board

From: Sandy Kulik, Village Administrator

Date: May 28, 2020

Re: Agenda Item : 3.7 Chickens

In March 2020 at the COW, this item was deferred to April's COW and as we haven't had one since March, it has been placed on this agenda.

I have been in contact with the family that was present in March and advised them that I am recommending this gets deferred again, to perhaps September as we have many matters that really need to be addressed that are greater impacting the Village than the regulation of chickens. They understand and were appreciative of the situation.

Staff is recommending that we move this to the September COW for discussion as it allows for greater public participation for both the pro and con groups to discuss this idea.

DS/MS

3.5

COMMITTEE OF THE WHOLE - Minutes
January 6, 2003

Village of Hales Corners
5635 S. New Berlin Road

The meeting was called to order at 6:45 p.m. by Chair M. Stahl. She indicated that the Committee may meet in closed session, as noticed, during the meeting.

1.0 ROLL CALL – Present: Chair M. Stahl; Trustees M. Bennett, D. Besson, R. Ruesch, J. Ryan, S. Sannes, and L. Teschendorf; and Administrator M. Weber. Audience (~15).

2.0 PUBLIC COMMENT – Shirley Perez (6120 S. 118th Street) requested that the Board consider an ordinance to prohibit farm animals on residential property. She indicated that a family in her neighborhood has constructed a warren for rabbits and a coup for chickens. She said that the animals run at large and that a rooster crows at different hours of the day. She also complained about the fact that play equipment has been constructed in the front yard and that there are cars and trucks in the driveway. Marcy Montagne (11800 Indian Trail) indicated that she lived across the street from the referenced house. She has documented the times of day that the rooster has crowed, which is disruptive to a residential neighborhood. She also indicated that she has chased animals and discovered carcasses. She acknowledged that a criminal complaint was filed regarding the neighbor. Mr. Weber suggested the matter be referred to the February 3 Committee of the Whole to allow staff to prepare alternatives for Committee consideration. He noted that the zoning code does allow for some agricultural uses that are remnant from an earlier time when the community converted from farmland to urban development. Mr. Besson also asked for a report regarding the application of the noise ordinance, building codes, and vehicles in the driveway.

3.0 AGENDA ITEMS

3.1 Appointments/Liaison Assignments – Mr. Ryan introduced former CDA member Dave Zepecki. He recommended Mr. Zepecki to replace Mr. Andera on the CDA. It was moved and seconded (Besson, Ruesch) to recommend the appointment; motion unanimously approved. Mr. Ryan also recommended that former Library Board member Tom Seibers be appointed to the Plan Commission. Mr. Seibers's resume was provided to Trustees. He would replace Keith Munson who recently resigned. It was moved and seconded (Ruesch, Teschendorf) to recommend approval of the appointment; motion unanimously approved.

3.2 Licenses – It was moved and seconded (Besson, Teschendorf) to recommend approval of a Class B beer/C wine license for Balistreri Brother's Pizza at 5320 S. 108th Street; motion unanimously approved. It was noted that this is the former Taco City restaurant site. It was moved and seconded (Ruesch, Bennett) to recommend approval of an operator's license for Carol Gordon. Ms. Sannes noted that incomplete information was provided on item 4 of the application form. She expressed continuing frustration of applicant inability to complete forms. Staff was requested to continue providing reminders to fill out all information on the application form. Motion unanimously approved.

3.3 Class A License Quota Request – Mr. Weber indicated that a local convenience store has requested that the Class A retail beer quota be raised to allow for more licenses. The Village has maintained a quota of three licenses for retail sales of beer and liquor for many years. The quota was last reviewed and reaffirmed in 1999. The Village receives several inquiries every year on Class A license availability.

Mr. Weber noted that the storeowner was expected, but was not present. Mr. Besson noted that the Board has reviewed this matter on several occasions and that there is no new

information that would suggest a change in the quota. It was moved and seconded (Besson, Sannes) to receive and file the request; motion unanimously approved.

3.4 Fire Station Landscape Plan – Mr. Weber indicated that staff is preparing a more detailed base site plan for the final landscape plan. DPW Director M. Martin will meet with two Ecology Committee representatives in January to complete this work. Ms. Teschendorf questioned whether consideration is being given to contracting out landscaping or simply buying materials and planting it with DPW crews. Mr. Weber indicated that those are options to be considered. Without objection, the matter was referred to the February Committee of the Whole.

3.5 Conrad/Donna Road/Drainage Project – Mr. Weber indicated that an Allenwood Lane resident requested to appear before the Committee to discuss this project. The resident had called today indicating that they would be unable to attend, but would like to appear at the February Committee of the Whole. Without objection, the matter was referred to the next meeting.

3.6 Update-124th Street Vacation Request & Steeple View Development Review – Ms. Teschendorf indicated that some municipalities and utilities have responded to the Village's inquiry on 124th Street r-o-w Vacation. She discussed the matter with the City of New Berlin (Greg Kessler) who indicated that the letter was received and the New Berlin Common Council would be responding in time. Mr. Weber reported that the City of Franklin is also reviewing the matter through its Plan Commission and a response is expected in January.

Ms. Teschendorf also indicated that revised plans have not been received from Hales Corners Lutheran for the proposed Steeple View project on Janesville Road. She reported that she will be invited to the staff meeting in New Berlin when the plans are received. She also indicated that plans would be made available for distribution to the neighbors.

3.7 CDA/TID #2/Redevelopment Update – Mr. Weber indicated that staff is working with Continental Properties to resolve monument sign and entry pier location issues. A resubmittal for a new Walgreen's and plans for "Building 1" are anticipated in January. Cooperative weather has enabled the construction schedule to move forward rapidly.

3.8 2003 Budget (including Library Request and TID #2 Bond Timing) – Mr. Weber indicated that a borrowing was anticipated for TID #2 expenses in the early half of the year. Information is still pending regarding overhead line burial along STH 100 within the TIF District. Mr. Weber noted that the Village has other capital needs that were identified in the 2003 budget. Finalizing a list of needs would be required if a combined bond issue is to be accomplished. Mr. Ryan felt that financial advisors Ehlers and Associates should be consulted regarding debt service schedule options for the Village.

The Committee reviewed a December 29, 2002 memo from the Library requesting $5,500 to continue their collection development program. Mr. Weber noted that the concept relied on surpluses over the next several years to fund this item. The surplus for 2002 will not be known for several more weeks. The Board has also committed to replacement of the Village Hall roof this season and the exact costs of replacement are unknown. Mr. Ryan questioned the time limits for the Board to consider 2002 transfers. Mr. Weber indicated that transfers could be made up to the time of adoption of the 2002 audit in April or May. Without objection, it was agreed that the matter be further discussed at the February Committee of the Whole.

Mr. Weber noted that the Village has used capital reserve to finance much of the TID #2 expenses over the past 2 years. It will be necessary to issue bonds to "repay" reserves this spring. Since the Village has a number of other capital needs, consideration should be given to finalizing these needs to "piggyback" onto the TID #2 borrowing and save some issuance costs.

3.9 Administrative/Financial Report – Mr. Weber reported that the Village's worker's compensation rating has gone up to 1.05. It is a result of recent poor claim experience. The number is expected to be above 1.0 for the next several years. Work will soon begin on insurance quotes for the next renewal period. Kempes will no longer renew municipal policies, and the League of Municipalities has formed an insurance company. It is anticipated that Wausau will also compete with a program. The Local Government Property Insurance Fund has indicated that their rates will approximately double in the next renewal cycle. Mr. Weber noted that the Village may want to consider higher deductibles in order to better manage costs.

The Department of Agriculture has notified the Village that the Weights and Measures services provided through their consumer protection division will be doubling. The Village may want to consider development of business fees in order to cover these costs. Mr. Weber reported that Anna Kettlewell began work in December as administrative assistant. He also reported a request from the Milwaukee Water Works for overdue engineering bills of approximately $55,000. Research is being done on the matter. He noted that the Water Works is notorious for late billing of engineering fees; however, some of projects date back to the early 1990's. The Committee requested that an update be provided at the February Committee of the Whole on research and Village response to the request

3.10 US Cellular Agreement – Mr. Weber noted that several negotiation points need to be reviewed regarding a license agreement to permit a cell tower at the DPW yard. Attorney Hector de la Mora was present for this item. It was moved and seconded (Ryan, Bennett) to convene into closed session per Wis. Stat. 19.85(1)e to discuss U.S. Cellular use license negotiations. Motion unanimously approved on a role call vote. Following the closed session, it was moved and seconded (Ruesch, Bennett) to reconvene into open session; motion unanimously approved on a role call vote. The Committee acknowledged that Attorney de la Mora should continue negotiations with U.S. Cellular representatives to finalize an agreement.

4.0 **ADJOURNMENT INTO CLOSED SESSION AS NOTICED** – It was moved and seconded (Ryan, Besson) to convene into closed session per Wis. Stat. 19.85(1)(c) & (e) to discuss Integrated Mixed Use Redevelopment developer negotiations and nonrepresented employee evaluation and compensation. Motion approved on a roll call vote.

4.1 Reconvene into Open Session – It was moved and seconded (Besson, Teschendorf) to reconvene into open session; motion unanimously approved on a role call vote.

5.0 **ADJOURNMENT** – It was moved and seconded (Besson, Teschendorf) to adjourn the meeting at 9:00 p.m.; motion unanimously approved.

Submitted,

Michael F. Weber
Village Administrator / Clerk

Sandra Kulik

From: Lauren Adel <laurenadel@gmail.com>
Sent: Thursday, February 27, 2020 12:44 PM
To: Matthew Eternicka
Cc: Sandra Kulik
Subject: Re: Poultry Information Meeting in the Village
Attachments: Chicken Keeping in Wisconsin 2019.xlsx; Wauwatosa Chicken.pdf; UW - Poultry in Urban Areas.pdf

Hello Sandy,

We are looking forward to attending Monday's Committee of the Whole Meeting. I would like to confirm that it is still scheduled to take place on Monday, March 2, 2020 at 6:45pm.

In preparation for our discussion, Matthew and I have compiled the following documents.
1. Hales Corners Hens Proposal
2. Chicken Keeping in Wisconsin 2019 Spreadsheet
3. City of Wauwatosa - Chicken Keeping Ordinance Approval
4. University of Wisconsin Extension - Poultry in Urban Areas Analysis

All files are attached below for review by the Board Members. We will be prepared to answer questions and offer additional supporting information.

Please be in touch if there is anything else you need from us prior to Monday.

Here's to Hales Corners Hens 2020!

Thank you,

[redacted]

L.

Lauren Adel Klich

312-316-7766
www.laurenadel.com

Hales Corners Hens Proposal.pdf

	A	B	C	D	E	F	G	H	I	J
1	Chicken Keeping in Wisconsin									
2										
3	Suburb	Chickens Allowed	# Chickens		Ft from nearest residential structure	Coop Restrictions	Permit Cost	Year enacted	#of permits	
4			# Hens	# Roosters						
5	Afton	Y								
6	Allouez	Y								
7	Aniwa	Y								
8	Antigo	Y	2							
9	Ashwaubenon	Y	4					2015		
10	Baraboo	Y	6	allowed						
11	Bayview	Y		0						
12	Beloit	Y	Up to 20 on lots of 5 acres or more	0						
13	Butler	Y	6	0	?	?	?			
14	Cedarburg (city)	Y	5	0						
15	Chippewa Falls	Y								
16	Cudahy	Y		0	25 ft	<64 square feet		2018		
17	Delafield	Y	8	0	none	50 square feet	$75 initially and $25 annually			
18	Delavan Township	Y								
19	Depere	Y		0						
20	Eagle River	Y								
21	Eau Claire	Y						2018		
22	Fitchburg	Y								
23	Fort Atkinson	Y	5	0						
24	Fox Crossing (village)	Y								
25	Fox Point	Y	4	0	30 feet		$100 initial and then $25 renewal	2018		
26	Franklin	Y								
27	Friendship	Y		0						
28	Germantown	Y	10	0	2 acres					
29	Glendale	Y						2019		
30	Grafton	Y	6	0	40 Ft	7 cuft per	$50 initial, $25 renewal	2017		
31	Green Bay (city)	Y	4	0						
32	Green Bay (town)	Y	no max	0						
33	Greenfield	Trial	4	0				2014		
34	Hartland (village)	Y	3							
35	Hudson	Y					$50	2014		
36	Janesville	Y	4	0						
37	Lacrosse	Y	5	0						
38	Ladysmith	Y	6							
39	Lake Mills	Y	6	0	15 ft		$10	2012		
40	Madison	Y	4	0	25 ft		$10 annually	2004		
41	Mequon	Y	4	0	Lots must be 1.5 acres or larger.	40 square feet.	$50 initially and then $20 annually			
42	Milwaukee	Y	4	0	25	Up to 50 square feet	$35.56 one time	2011		
43	Mukwanago	Y								
44	Muskego	Y	4	0						
45	Newberg	Y/N			zoned agricultural only					
46	Neenah	Y	4							
47	New Berlin	Y	4	0	25	None	No permit required			
48	Oshkosh	Y	4							
49	Pewaukee							2019		
50	Prescott	Y								
51	Plover	Y								
52	Racine	Y	4	0	25 (more restrictions)	40 square feet	$50 annually			
53	Richfield	Y?								
54	Richmond	Y	6	0						
55	River Hills	Y	None	0	N/A	N/A	No permit required	2011		
56	Roxbury	Y	5							
57	Sheboygan	Y	no max	allowed			No permit required			
58	Slinger	Y								
59	Stevens Point	Y	5	0						
60	Sturtevant	Y								
61	Superior	Y		0						
62	Vernon	Y	6	0						
63	Watertown	Y	4	0						
64	Waukesha	Y	5	0	Lot must be 3 acres or more					
65	Wausau (city and town)	Y	no max							
66	Wautoma	Y	3							
67	Wauwatosa	Y	4	0	25	?	$50 initially and then $20 annually	2013		
68	West Bend	Y						2019		
69	Weston	Y	4							
70	Whitewater	Y								
71	Whiting	Y	6	0						
72	Some other cities that allow chickens, include Los Angeles, New York City, Portland, Seattle, San Antonio, Honolulu, St. Louis, San Jose, Baltimore, San Francisco									
73										
74	Resources									
75	USDA, Urban Chicken Ownership in 4 cities	https://www.aphis.usda.gov/animal_health/nahms/poultry/downloads/poultry10/Poultry10_dr_Urban_Chicken_Four.pdf								
76	Hudson WI Request to Own	http://ci.hudson.wi.us/DocumentCenter/View/374								
77	Wauwatosa 6 month review after enactment	https://wauwatosacitywi.iqm2.com/Citizens/Detail_LegiFile.aspx?ID=1683&highlightTerms=chickens								
78	Wauwatosa estimated expense for enforcement	https://wauwatosacitywi.iqm2.com/Citizens/FileOpen.aspx?Type=4&ID=1417&highlightTerms=chickens								

City of Wauwatosa, WI

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Costs - Inspections Health Compliance Code enforcement

City of Wauwatosa
Wisconsin

Action Item

From the meeting of May 8th, proposal to allow domestic keeping of chickens within the City of Wauwatosa

Information

Department: City Attorney **Sponsors:**
Category: Information Only

Links

Reference 2444 : Memo from the Assistant City Attorney concerning the status of the implementation of the Ordinance governing the domestic keeping of chickens

Attachments

CDC minutes 111312 chickens

MEMO BODY

Background. A proposal to allow domestic keeping of chickens within the City of Wauwatosa was discussed before this committee on May 8, 2012.

The committee requested additional information following the August hiatus pertaining to the estimated fiscal impact to the city if chickens are allowed. The committee also requested information on experiences and regulations regarding urban chicken farming in communities such as Milwaukee, Delafield, River Hills, and Mequon. The following information was prepared by Assistant City Attorney Eileen Miller Carter.

State law. According to state regulations, a municipality with a health department is required to have its health department govern and enforce any health laws related to urban farming. Wis. Stat. sec. 254.51(5) and sec. 251.06(3).

Permitting chickens in the City of Wauwatosa involves lifting several restrictions located in the health and building city codes and enforcing newly created codes. Therefore, responsibilities for both the building and safety division and health department would broaden under a new ordinance in addition to their current duties.

1.) Fiscal impact to the City.

The city's health department and building and safety division would be endowed with new responsibilities independent of each other's under a proposed chicken ordinance. Both would be required to enforce regulations and conduct separate inspections for residential property owners licensed to keep chickens.

The building and property maintenance inspectors would conduct inspections for property and maintenance code compliance regarding property setbacks and construction and location of coops and fences.

The health department conducts regular health related inspections and any other needed investigations related to health and safety issues that arise in the urban animal environment such as disease tracking (i.e. salmonella and rabies) and nuisance control (i.e. rodents). These duties would extend to residential chicken keeping. The health department responds to all animal related complaints in the city. Response involves investigation, reporting, possible citation issuance, appearing in municipal court as a witness and follow up for compliance and abatement measures.

Animal related complaints to the health department for years 2011 and 2012 to the present are documented in an attached table A. The estimated fiscal impact to the health department is located in table B and the estimated fiscal impact to the building and safety division is in table C.

In a review of other municipality codes allowing chickens, the license fee varies. The cost of most chicken licenses range from $14.00 to $35.00 annually per household. The cost involved in approval and enforcement to the city is not covered by these modest license fees.

The attached tables indicate the expected annual cost for the health department and building and safety division for one resident who possesses a chicken permit. The health department cost would total $468.59 for tasks to be performed by

three employees (registered sanitarian, public health manager, clerical) for one chicken owner licensed in Wauwatosa. If the complaint does not involve court time, the cost to the department is reduced by approximately $177. The listed costs also do not reflect health officer time, legal consultation, ordinance review or council meeting time. The building and safety division estimated a $300 cost to its department for tasks to be performed by one employee for one chicken owner licensed in the city of Wauwatosa. These fees reflect inspection, travel time, reporting, documentation and clerical work.

In May, our office advised that outdoor chickens and their feed are known to attract wildlife and rodents. It should be anticipated that that their presence will generate wildlife and rodent complaints to which the health department will be required to respond. Time and expense involved in such is included in the above fiscal impact.

By way of background, the health department has received and responded to 54 animal related complaints in 2011 and 30 in 2012 to August. Each complaint requires investigation, inspection, follow up, written report, legal consultation and if citations are issued, appearances to testify before the municipal court; some situations may merit discussion and education with property owner on abatement methods (an hour) and return to owner to verify successful abatement. It is estimated that the amount of time for staff on one complaint ranges from a couple hours or more depending on the circumstances. Occasionally a rodent complaint presents a chronic condition or nuisance that requires multiple inspections, orders and possibly citations.

2.) Experiences of other municipalities.

Milwaukee, Delafield, River Hills, Mequon are communities identified by the committee as permitting chickens. The committee asked that additional information about each community and its regulations be provided. While these communities permit fowl on residential property, it is important to note that most of these communities only permit them on lots that are one acre or larger and these communities contain larger residential lots and are more rural in character. Wauwatosa has smaller residential lots.

Delafield permits chickens depending on the district and size of the lot. Delafield contains more rural character and has agricultural, conservancy and several classes of residential districts. Residents of residential single family district with lots exceeding one acre are permitted no more than five hens per acre for noncommercial use. Feed must be stored and covered to prevent attracting vermin. Chickens must be allowed to roam in their enclosed structure. No licensing is required. Delafield permits raising of animals, fowl or fish adapted to wetlands as a permitted use in its C-1 conservancy district which is intended to preserve, protect and enhance the ponds, streams, islands and wetlands and public parklands in the City. It also permits fowl in its agricultural and residential holding district not to exceed 20 hens for each acre. Delafield's lot sizes vary according to districts; agricultural residential lots are a minimum of three acres. R-1 single family district lots are a minimum of ¾ acre, precluding its residents from being able to keep chickens.

River Hills, which is rural in character and contains multiacre lots, has had chickens for years but ten years ago, an ordinance prohibiting exotic animals also prohibited chickens. A return to allowing chickens occurred in March 2011 when the ordinance was revised. River Hills has agricultural districts and multiacre lots.

Mequon contains agricultural and several classes of residential and suburban districts. Residents of some of the residential and suburban properties are permitted agricultural use which includes the keeping of fowl/chickens but the lots must be ten acres or more for agricultural use. In these districts, the minimum lot size varies from R1 district to R4 district but it is less than two acres. The smallest lot size (that is, the minimum size) in R4 district is ¾ acres. The smallest lot size that permits agricultural use is ¾ acre in district R4.

Plymouth's council has passed a chicken ordinance several times and as recently as June 2012 but the mayor had vetoed it on finance grounds and concerns that the property values and residential quality of life would be negatively affected. The mayor reasoned the enforcement of the ordinance would result in a fiscal impact and associated increase in staffing duties. The mayor stated chickens are farm animals, not pets. However, the council overrided the mayor's veto by 2/3, on June 26, 2012 resulting in passage of the ordinance, effective August 1, 2012.

Examples of communities that do not permit chicken raising are as follows:

South Milwaukee, Hales Corners, West Allis, Oak Creek, Whitefish Bay, and Greendale do not allow farm animals which includes chickens.

Shorewood, Fox Point, Janesville, Amery, Caledonia and Fox Point have recently considered the concept of chicken raising but the proposed ordinances did not pass.

Franklin permits chickens depending on acreage. St. Francis permits chickens.

City of Milwaukee. Chickens are permitted for residences subject to restrictions on the number and approval from adjacent or neighboring property owners.

The chicken ordinance is enforced by the Environmental Health and Nuisance Control Department which is a division of the Department of Neighborhood Services.

The public safety committee recommended to the common council that the sunset provision (allowing chickens until July 20, 2012) be removed to allow existing chicken owners the opportunity to maintain their chickens. This was approved by the council on July 6, 2012.

The chicken ordinance imposes certain obligations on the owner. The owner must first obtain a valid permit, complete an application and pay an accompanying fee. The permit application is subject to notification and neighborhood approval which includes the applicant obtaining written consent of the owner of property where the chickens shall be kept and owners of all directly or diagonally abutting properties, including those across an alley. Written consent must be provided at the time of the application. There is a maximum of four chickens per licensed household and prohibitions against

- nuisance 3x out
- Fines?
- permit fees
- assry structures
- general inspections - april cow -
- Current # allowed

TABLE A

Animal Bites /Rabies Exposure for 2011 and 2012 (year to date) Reported by the Health Department.

Animal	2011	2012
Bats	15	6
Cats	7	1
Dogs	30	20
Raccoon	2	1
Squirrel	--	1
Beaver	--	1

Rodent and pest complaints are considered nuisances. In 2011, the health department conducted 60 inspections and 29 reinspections in response to rodent and rat complaints. In 2012 to August, the health department conducted 77 inspections and 42 reinspections in response to rodent and rat complaints.

TABLE B.1-3. Expenses Incurred By the Health Department.

Table 1: Expenses Incurred by Registered Sanitarian.

Function	*Hours*	*Cost*
Inspections	*2.5*	*$118.10*
Office Work	*0.75*	*$35.43*
Court Prep/Appearances-minimum 2	*3.75*	*$177.15*
Phone Calls	*0.75*	*$35.43*
Travel Time	*0.75*	*$35.43*
Mileage: 7		*$3.85*
Total	*8.5*	*$409.39*

— 15% fees

Table 2: Expenses Incurred by Public Health Manager (Supervisor)

Function	*Hours*	*Cost*
Office Work	*0.5*	*$26.10*
Travel Time	*0*	
Mileage	*0*	
Total	*0.5*	*$26.10*

Table 3: Expenses Incurred by Clerical

Function	*Hour*	*Cost*
Clerical Staff	*1*	*$25.60*
Supplies: Postage ($5.75/cert letter) 2		*11.50*
Total		*37.10*

Estimated cost: Routine
$468.59

Table C Expenses Incurred by the Buildings and Safety Division

Function	**Hours**	**Cost**
Inspector/Clerical	**4**	**$75.00/hour, $300 total**

$300 total

keeping roosters and the slaughter of chickens. Further conditions require chickens kept in a sanitary and adequately sized and accessible fenced enclosure or yard at all times. The coops must be either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel. They must be sized to allow at least 16 square feet per hen. No enclosure may be located closer than 25 feet to any residential structure on an adjacent lot. No enclosure shall be located in the front of any dwelling. Additionally, the keeping of chickens may not cause any nuisance, unhealthy condition, create a public health threat or otherwise interfere with the normal use of property or enjoyment of life by humans or animals. Public health requirements must be satisfied in accordance with state law and address communicable disease and illness.

In the year since the ordinance became effective (July 2011), the city department issued 14 chicken keeping permits. There have been 21 chicken complaints since the inception of the ordinance to February 29, 2012 but not for the permitted sites. One rodent complaint, thought to be caused or contributed to by chickens, was determined to caused by other than keeping of chickens. The city does not know how many permits were sought or desired but failed for lack of permission of adjacent property owners. The department had no specific recommendations to the ordinance. It appears no fiscal impact to the city or its departments was discussed or addressed.

Enforcement issues were not provided. Inspection requirements, time and cost to the city were not addressed. Changes, if any, to property values were not discussed.

The fee per owner is $35.00. A chicken coop fee is assessed separately.

3.) Examples of Restrictions for Chickens.

The following restrictions are imposed when permitting backyard chicken farming in municipalities.

*The coop must be located no less than 25 feet from an adjoining residence or principal structure that is not the residence of the licensed chicken owner.

*The coop may not be located in the front yard. (Green Bay, Mequon, Delafield, River Hills, Milwaukee) *The coop may not be located in the side yard. (Green Bay)

*No roosters may be kept. (All)

*The property must be kept sanitary and nuisance free. (All)

*Lot size. Hens can be kept by owners whose lots are no less than ¾ acre (Delafield, Mequon).

* No more than four hens are permitted per licensed owner. (Mequon, River Hills, Milwaukee, Green Bay)

*No more than five hens per acre. (Delafield)

*No more than six hens are permitted per license owner.

*No slaughtering on property of licensed owner. (All)

*Feed must be kept in sealed containers to prevent attracting vermin. (Delafield)

*Coops must be clean, sanitary and free from all objectionable odors. (Mequon)

*Domestic fowl includes duck, chicken, geese and turkeys. (Mequon)

4.) Wauwatosa Health Department

The Wauwatosa Health Department responds to domestic and wildlife complaints. Wildlife animal incidents/reports in 2011 totaled 54. Wildlife animal incident and reports for the period of January 2012 to August total 30.

Animal bites (both domestic and wild) and bat exposures are tracked through the WHD rabies control program. Animal bites are much more involved because a WHD public health nurse becomes involved to work with the bite victim (if they are a resident), there will be a mandatory 10 day quarantine for domestic animals or laboratory testing for captured wildlife and always the possibility of dangerous/vicious orders and citation which will involve writing the orders, court prep, getting management and legal involved for consultations. While this is considered a rough estimate, resources/time involved could easily triple or further escalate if orders and advancing to municipal court are warranted.

The city's rabies control cases for 2011 and 2012 YTD is included. Rabies is a mammalian disease but it could become relevant if chickens attract fox, skunk or raccoon (known carriers) into the neighborhood. Experience teaches this is a realistic problem.

Recently, the health department responded to a resident's complaint about rats and in the course of the inspection, the sanitarian realized the rats were attracted to and eating human food given to chickens housed in an outdoor chicken coop on the adjacent lot. The sanitarian contacted the chicken owner to advise that the chickens were not permitted. The food was cleaned up and the chickens taken away by the owner and recently reappeared. It was the sanitarian's finding that the rats were attracted to human food.

5.) Conclusion.

Allowing chickens will have a measureable impact on both city's health department and building and safety division. While this will cause a fiscal impact to the city, the amount of the impact is unknown. The number of chicken owners who apply for licenses will determine the number of building and safety division inspections. The number of anticipated health and animal related complaints and the health department's level of involvement is unknown and cannot be correlated to the number of licensed chicken owners.

A3908-03

Adam A. Hady and Ron Kean

UW Extension
Cooperative Extension

Poultry in Urban Areas

There has been a significant boom in the number of people interested in raising poultry in the United States. This is true even in urban areas, where keeping chickens poses some challenges that are different from those of raising poultry in rural environments. While many cities and municipalities have restrictions on urban poultry—or prohibit it outright—the strength and popularity of the local foods movement means that in many areas these ordinances are being reconsidered.

Examples of owners successfully raising poultry in urban areas are many; this publication will outline some best practices and look at a few of the challenges that the urban poultry person will need to address to avoid problems that might otherwise occur.

Benefits of raising chickens

There are many benefits to raising poultry; the first that may come to mind is having fresh eggs on hand. However, those who raise poultry enjoy many other benefits as well:

- Just like the family dog, chickens make good pets and can be a source of relaxation and companionship.
- Many people gain a sense of pride and satisfaction from raising well-cared-for, healthy birds.
- Some families find raising poultry is a great way for their children to learn about animal care and responsibility, better understand food systems, and gain a general insight to basic life processes.
- Chickens may help homeowners "go green." Poultry waste is an excellent source of nutrients for plants, providing many of the key ingredients for composting and keeping fertilizer costs down. Many poultry owners use their birds to keep kitchen waste out of their trash bins, as chickens will eat many vegetables—especially leafy greens—and unseasoned meat scraps. Caution: be sparing with kitchen waste that contains a high amount of salt, as this can cause wet droppings from diarrhea and may have a negative effect on egg production and shell quality.

Problems associated with raising chickens

Providing the proper space, nutrition, and housing are the keys to raising healthy chickens—see *Guide to Raising Healthy Chickens* (A3858-01), available at learningstore.uwex.edu. In addition, owners have to be aware of the potential problems associated with poultry, especially in urban areas. Typically, issues that may arise involve noise, odors, pests, and concerns about disease. Poultry owners must be attentive to and cooperative with their neighbors, who may have a different tolerance for backyard chickens in an urban setting.

Noise and odor

Most animals make noise and have an odor to some degree. Properly provided for, chickens raised in an urban backyard aren't necessarily any noisier or smellier than dogs.

One concern frequently mentioned when talking about raising poultry in the city is that chickens will crow early in the morning or that a flock will be unusually loud. In fact, only roosters crow, and they can crow at any time of the day. Because of this, many municipalities have banned roosters from urban settings or placed restrictions, such as limiting the number of roosters allowed. In addition to restrictions on roosters, many ordinances restrict the total number allowed in a flock as well.

There are many ways to help muffle the sounds that chickens make during the course of the day. Insulation will reduce the amount of sound coming from the chicken coop. For chicken coops with outdoor "runs," or areas where chickens can exercise, partial fences and landscaping such as small shrubs and bushes can help reduce sound as well as enhance the appearance of the housing.

Proper lighting is an important part of noise control as well. Birds are active when there is light, so a coop that allows you to control both natural and artificial light means you will have greater control over when the birds are active and more likely to make noise. Keep in mind that to get the most out of egg production, chickens need 14 to 16 hours of natural or artificial light per day.

Odors are another source of concern in urban environments, where neighbors are usually close to one another. Most poultry odor is associated with ammonia produced in poorly ventilated and moist coops. The solution is to properly ventilate the housing area, which will help keep the bedding dry. You may need to consider dehumidification during times of high humidity and other seasonal weather conditions.

Pest management and control

Controlling flies and other insects is very important to all poultry producers, but may have an even larger impact in an urban area. The best way to prevent flies is to keep the litter dry, as fly eggs and larvae (maggots) need moisture to develop. Keeping the pens clean will reduce problems with flies and insects; most small flock owners clean out their coops regularly, so manure buildup is not an issue. During certain times of the year or under particular weather conditions, however, traps or chemical control may be necessary.

Rodents can be another problem. Storing your feed securely and using feeders that minimize waste will reduce issues associated with rodents. Proper coop design and keeping the area immediately surrounding the coop free of weeds and grass will help keep rodents at a distance as well.

Concern about disease

As with any animal they share a space with, there is always the chance of humans picking something up from their backyard chickens. For example, some diseases found in other common household pets such as caged birds and reptiles can also be found in poultry. What follows is a short list of diseases that **could** be transmitted from birds to humans. However, the risks are very low when poultry is kept in a healthy and clean environment.

Salmonellosis: This is often what people think of when they have a concern about chickens and disease. There are about 2,500 different species of *Salmonella;* a few of them can be carried by chickens and potentially make people sick. The one that usually makes the news (*Salmonella enteritidis*, or SE) can be contracted by consuming undercooked eggs or from contamination from raw chicken meat. Only rarely will contact with fecal material lead to infection, and a good hand washing with soap after handling any chicken will take care of this. The same risk and remedy applies to other pets, including dogs, turtles, iguanas, and pygmy hedgehogs.

Influenza: There has been evidence in **some other countries** that chickens can transmit the influenza virus to humans. In the United States, the specific subtypes of the virus that affect humans have not been found in poultry for many years. However, the influenza virus can occasionally mutate from one subtype to another. In order to prevent future outbreaks, the USDA conducts an aggressive program to depopulate flocks that may have these other influenza subtypes, even if they aren't highly pathogenic.

Psittacosis: This bacterial disease can be contracted from poultry, although such occurrences are very rare. Caged birds such as parrots are more common carriers of psittacosis. If infection occurs, the disease can be treated with antibiotics.

Tuberculosis: While rare, there have been cases of people contracting tuberculosis from birds, although is not a common disease in poultry. Typically, people with a compromised immune system are most at risk.

Histoplasmosis: This fungal disease is actually caused by a soil fungus. While birds are not carriers, histoplasmosis can grow in old poultry or pigeon manure and is commonly connected with church belfries, barns, and other places where droppings accumulate. As long as a poultry house is cleaned regularly, this should not be an issue.

Parasites: Because chickens belong to the class *Aves* and humans to the class *Mammalia*, poultry and people are not closely related. Thus, there is little risk from the spread of parasites, which generally adapt to a specific class. Mites and lice from birds, for example, will not live on humans for more than a few hours. Likewise, internal parasites that are adapted to the poultry gut typically won't be a problem for humans. One protozoa, *Giardia,* can occasionally affect both birds and humans, although this is more commonly seen with caged birds such as parakeets and canaries. Most hobby flock owners routinely monitor and treat their birds for parasites nonetheless, to keep them healthy.

Other issues to consider

There are other issues specific to raising poultry in urban settings that you should consider before deciding to raise chickens or allowing chickens to be raised in your community.

Waste disposal

To safely keep poultry in an urban environment, you must have a secure plan regarding the disposal of poultry waste. If you have a waste storage container, make sure that it can be sealed and is rodent-proof. Composting poultry waste has become popular; homeowners have many options for purchasing or building compost bins. Poultry waste, which has a high nitrogen component, should not be directly applied to young and growing plants for fear of nitrogen burn. After it is composted, however, poultry waste makes for a safe, stable, odor-free fertilizer.

Can you have poultry in your town?

If you are thinking of keeping chickens in your city or town, the first thing to do is to check with your local officials to see if zoning or municipal ordinances limit or prohibit the raising of poultry, as is the case in many cities. Common restrictions include the distance between poultry housing and the lot line, the number and types of poultry that can be kept, and the need for permits and/or inspections.

Across the country, many groups are working with their municipalities to make it legal to raise poultry in areas where it was previously prohibited. If your city or municipality does not allow this, there are many resources to draw upon that will help your community decide whether an ordinance change is advisable. Keeping poultry in urban settings can be a contentious issue, so keep the following guidelines in mind:

- Be respectful of all positions
- Refer to poultry as pets and not livestock
- Start small and stay organized
- Be willing to educate neighbors, friends, and community members
- Include both the pros and cons of urban poultry and be prepared to provide ideas and solutions to concerns that people have
- Do your research and know your local resources

Developing rules and best practices

For communities that do allow backyard poultry, establishing good rules and best practices is the best way to protect citizen rights and property. A good system of regulation means poultry keepers will have the freedom to raise poultry while governmental bodies will have the tools necessary to minimize and settle any conflicts that arise. For more information on best practices, contact your county extension office:

UW-Extension, Cooperative Extension website (with links to county extension websites): www.uwex.edu/CES/

UW Extension
Cooperative Extension

Housing

When selecting housing for your chickens, consider the following factors:

- The location of the enclosure: Where is it in relation to nearby residences?
- The size of the enclosure: Does the housing provide the proper space?
- The design of the enclosure: Is there adequate protection from the weather and predators?
- The appearance of the enclosure: Does it fit into the surroundings? Is it well maintained?

Raising poultry in any setting is fun and rewarding. By taking your neighbors and the community into consideration, you can successfully enjoy raising poultry in an urban setting.

Resources

University of Wisconsin-Extension resources

"Egg Safety and the Backyard Flock," available at: foodsafety.wisc.edu

Guide to Raising Healthy Chickens (A3858-01): learningstore.uwex.edu

Main poultry education website: www.uwex.edu/ces/animalscience/poultry/resources.cfm

Pasture Poultry Ark (A3908-02): learningstore.uwex.edu

Polk County home composting information: polk.uwex.edu/hort/Composting.html

Producing Poultry on Pasture (A3908-01): learningstore.uwex.edu

Richland County poultry website: Richland.uwex.edu/ag/Poultrylinks.html

Other resources

Mad City Chickens: www.madcitychickens.com

North Carolina Extension small flock management resources: www.ces.ncsu.edu/depts/poulsci/tech_manuals/small_flock_resources.html

University of Kentucky small and backyard flocks: www.ca.uky.edu/smallflocks

Urban Chickens: urbanchickens.org

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Authors: Adam Hady is an agriculture educator in Richland County with University of Wisconsin-Extension, Cooperative Extension and Ron Kean is a poultry specialist in animal sciences, College of Agricultural and Life Sciences, University of Wisconsin–Madison and University of Wisconsin-Extension, Cooperative Extension.

Photo credits: Shingled roof coop (page 1) and Carl Wacker with his Buff Orpington hen Shasha (page 2) courtesy of Kristy Hanselman; chicken run (page 3) courtesy of David Lovell.

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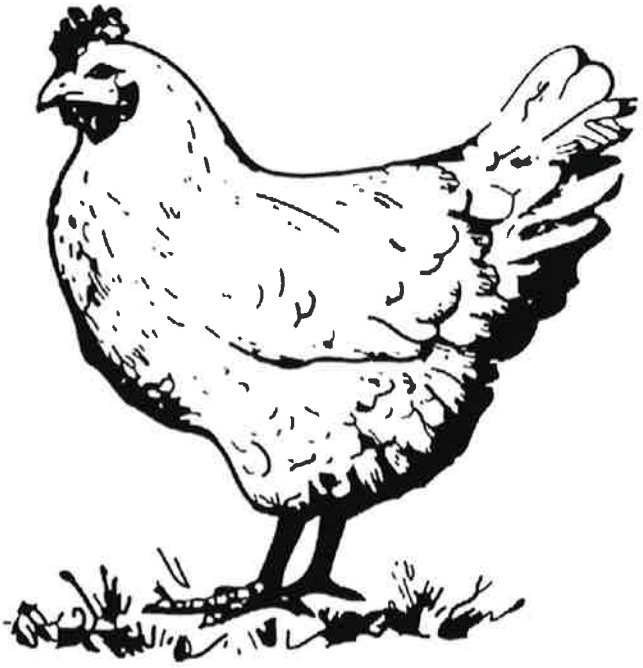
Poultry in Urban Areas (A3908-03) I-01-2011

A CASE FOR BACKYARD HENS IN THE VILLAGE OF HALES CORNERS



By: The Hales Corners Backyard Chicken Group March 2020

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1. Introduction

It should come as no surprise that the top 10 cities (according to the U.S. News & World Report- 2017 Best Places to Live) all allow backyard chickens. Most allow them on any size lot without complaints from their neighbors, their community, or regarding property values. Nine of the top ten "Forbes 2018 Healthiest Cities" also allow backyard chickens and the one city that doesn't is contemplating allowing them.

In recent years, many of us have started to realize that maintaining a close connection to our food is a positive, not a negative, and is a part of living a more sustainable lifestyle. Farmers' Markets are experiencing a revival, people are gardening more, and communities around the nation are changing decades-old laws forbidding the keeping of chickens.

2.Current Ordinance- Hales Corners

The current version of our village ordinance is at odds with today's understanding of the necessity of green living to make our cities more sustainable.

Section 11.08 Licensing of Dogs and Cats; Regulation of Animals of the Hales Corners Municipal Code provides in section 12(c)28 Prohibited and Protected Animals, Fowls, Reptiles and Insects provides the following:

> Wild Animals; Prohibition on Keeping. It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the Village, any poisonous reptile or any other dangerous or carnivorous wild animal or hybrid thereof, insect or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities. Specifically, it shall constitute a public nuisance and be unlawful for any person to keep, maintain or have in his possession or under his control within the Village, any of the following animals, reptiles or insects: Listed under item 28 chickens or farm animals.

3.Chickens and the History of Suburban Development

Why Were Chickens Prohibited by Earlier Lawmakers?

The birth of the modern suburb was a time when many of us were seeking to define ourselves as sophisticated and more like those in the cosmopolitan city than like those in unfashionable rural small towns and farming communities. The car was a symbol of that cosmopolitan lifestyle, so we eliminated sidewalks – why, after all, would anyone walk if they could afford to drive? The sidewalk became a symbol of poverty and backwardness. Later generations regretted that decision and many have retrofitted sidewalks and streetlights in their neighborhoods.

The keeping of chickens and other food-producing animals was also unfashionable during the decades immediately following World War II, and for similar reasons. The problem wasn't one of chickens creating a nuisance; it was one of wanting to seem modern, cosmopolitan, and sophisticated.

4. Our Proposal

Residents in Hales Corners have united together and recognize that Hales Corners Village residents should be allowed to keep chickens responsibly inside village limits. With a change to the village ordinance, the community can realize the leisure and health benefits of this hobby. Our group advocates, with the support of village residents, that citizens should be able to realize the benefits of chickens without negatively impacting neighbors. In allowing this activity, Hales Corners would be removing an outdated piece of boilerplate code and joining a national trend of other sustainability-minded cities.

5. Backyard Chickens Are Not Livestock

For thousands of years, chickens, like dogs and cats, have lived alongside people in backyards large and small in cities and small towns. Unlike a half-ton bull or 400-pound hog, a six-pound hen is not inherently a farm animal.

The typical laying hen starts to produce at four to six months, lays nearly daily until she is 6, and then lives another two years. A crucial point is that for backyard chickens (unlike their counterparts on farms), the end of productivity does not bring on the end of life. Commercial chickens are bred to produce large numbers of eggs very quickly and then to be culled and used for such things as animal food and fertilizer. Suburban hens, however, are treated as pets. They are typically named, and when around age 6 they stop producing eggs, they are 'retired' and treated as pets for the remaining year or two of their lives.

Chickens are friendly, social, intelligent, affectionate, entertaining, low-maintenance, small, quiet, and inexpensive to keep. They are quieter and cleaner than most dogs. They uniquely offer suburban and city-dwelling children the opportunity to understand a little more clearly where their food comes from. And they offer all of us the opportunity to produce a little of our own food.

6. Backyard Coops are Attractive and Clean

Unlike large commercial poultry operations or rural farms, people in cities and suburbs who keep chickens in their backyards tend to keep them in attractive, well maintained enclosures and treat their chickens as pets. Backyard coops are no more of an inherent eyesore than a trampoline, play structure, or hot tub. {Appendix B} contains examples of backyard coops on suburban and city lots.

Hales Corners Backyard Chickens Proposed Ordinance requires that coops be attractive,well-maintained, clean, sanitary, and free of odor or other conditions that would cause a nuisance.

7. Chickens Are Not a Nuisance

Chickens are Not Messy
Chicken enclosures used in city and urban settings tend to be attractive and are easily maintained. Small flocks are managed with a minimum of time and energy on the part of their owners.

Chickens are Not Smelly
Chickens themselves do not smell. Any possible odor would come from their droppings, but 5 hens generate less manure than one medium-sized dog. The average chicken keeper is also a gardener, and (unlike the feces of dogs and cats, which carry pathogens and can't be composted) chicken droppings represent an excellent source of free organic fertilizer when composted. Unsanitary conditions can result in a buildup of ammonia in large-scale operations, which is why commercial poultry facilities often smell. This is not the case for small backyard flocks.

Chickens Are Not Noisy
Hens are quiet birds. It's only roosters that are known for loud morning crowing, and roosters are not necessary for the production of eggs. The occasional clucking of hens is measured at a mere 60 decibels {Appendix B} and generally not audible beyond 10 feet. Some hens give a few squawks while actually laying an egg or bragging about it afterward, but this noise is very short-lived and much quieter than barking dogs, lawn mowers, leaf blowers, passing trucks, children playing, and other common neighborhood sounds.

Hales Corners Backyard Chickens Proposed Ordinance requires that chickens be maintained in a manner free from excessive noise and that chickens and enclosures be kept within the current zoning ordinances from the property lines, a distance at which most normal chicken noises are barely audible.

Chickens Do Not Annoy the Neighbors
Through our extensive research we have been in contact with many different chicken friendly cities throughout the country. We have testimonials and correspondence {Appendix C} All of them are overwhelmingly positive. The number of complaints range from none to just a few. It truly is a "non-issue". Having chickens has brought neighborhoods and communities closer.

Chickens Do Not Attract Predators to the Area
Chickens, if left unprotected, are vulnerable to predators. But as the predators of chickens are the same as those of the wild rabbits, squirrels, chipmunks, small birds, and other local wild prey animals already present in our community, they do not themselves attract predators to the area. Because chickens are penned up in the backyard (unlike wild rabbits, for instance, which hide from predators in tall grass, brush and shrubbery), the predators may be seen more often. Coyotes, for instance, are seen

more often when they take a cat or small dog than when they take a rabbit. But the presence of chickens does not attract predators to the area; predators are already here.

8. Chickens Do Not Pose a Public Health Risk

The type of Avian Influenza that is contagious to humans has not been found in North America. Bird Flu is spread by contact with the contaminated feces of wild migratory waterfowl. So the key issues are sanitation and contact with wild birds. Unlike rural farm birds which might co-mingle with migratory birds or drink from a shared pond, backyard chickens are contained in an enclosure and watered inside this enclosure.

Unlike cats and dogs which are prime vectors for rabies, parasites, and tick-borne diseases, backyard chickens actually keep your yard healthier for humans by eating ticks and other insects. Salmonella, which has been associated with raw eggs, is more of a problem with factory-farmed eggs, not with backyard chickens.

9. Living Sustainably

Increasing numbers of us are interested in living more sustainably, and many communities, are encouraging citizens to reduce waste and consumption of resources. Austin Texas is now offering a $75 yearly rebate for their residence to raise backyard chickens as they believe this decrease the wastes that end up in the landfills (Appendix D).Backyard chickens allow us to reduce our carbon footprint by producing some of our own food. Every food item we can produce organically and on our own property, just outside our back door, is one less item that must be shipped to us and shopped for. Every item of food we raise ourselves represents a step in living a greener, more sustainable, lifestyle.

People who have backyard chickens are less likely to use chemicals and pesticides in their yards and gardens because it's healthier for their chickens. In return the chickens eat weeds and bugs that normally plague unsprayed yards. Composted chicken manure is one of the most efficient natural fertilizers and is provided for free with no need for transport. Backyard chickens eat grass clippings which might otherwise end up in the landfills and food scraps which might end up in the garbage and sewage.

10. Chickens and Property Values

Some prospective home owners may be attracted to a community with a progressive stance on green issues such as chicken keeping. It's impossible to know which stance is more likely to attract rather than repel the greater number of prospective home buyers – the one that encourages conformity, or the one that encourages sustainability.

In fact, recently there are articles popping up stating that backyard coops are being included in some real estate ads as amenities and could actually *attract* buyers. Today's small flock chicken coops are designed to function well and look pretty in the yard! Also, 9 out of 10 cities on U.S. News & World Report 2017 Best Places to Live " {Appendix E} allow Backyard Chickens! Austin, Texas, which is rated #1 actually pays residents to have backyard flocks to reduce waste.

As communities get more educated about the reality of keeping backyard hens, they see how they actually add value to a community and are part of their efforts to go green and encourage sustainable living.

11. Lot Size

Chickens require very little space. Shelter for five or six hens does not require any more space than that represented by many dining room tables, and a run of 4 square feet per hen is sufficient to keep them happy and healthy. Households all over the country are keeping chickens on city and suburban lots. Whether a backyard chicken-keeper has a quarter of an acre or three hundred, he is likely to keep his hens in an enclosure with the same small footprint.

12. Educational Opportunities

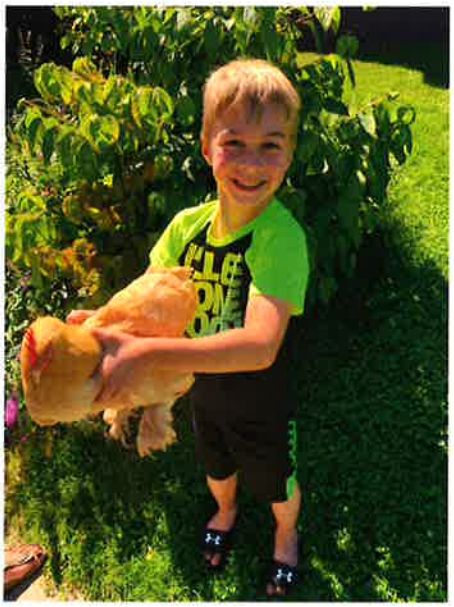
Raising a limited number of small hens in the backyard is a tremendous opportunity for parents to teach young children about nature, the responsibility of caring for a pet, and agriculture. There is power in knowing where the food they eat really comes from. Because of a hen's small size and friendly demeanor, they can be easily handled by young children.

By keeping a few hens, children will see first-hand how grass clippings, bugs, weeds, and kitchen scraps fed to chickens are turned into delicious eggs. They will also see how straw bedding and waste from the chickens improves garden soil that, in turn, produces fruits and vegetables. Instead of just hearing the phrase "reduce, reuse, recycle" they will actually experience it.

People who understand where their food comes from are empowered to make healthier eating choices. Eggs from free ranging chickens have been shown to contain measurably higher values of Omega-3 acids and vitamin E.

For some of us, our grandparents had victory gardens, knew how to can food, and raised their own chickens. But this valuable knowledge seems to have skipped a generation and we are anxious to bring it back so that our children will not be so far removed from these basic skills that they think food comes only from the grocery store or worse, fast food restaurant.

We cherish the opportunity to teach our kids how to be more self-reliant instead of depending solely on others for their sustenance. We value the opportunity to teach our children to have less of an impact on the earth than we have.



Appendix A: Draft Ordinance

Urban Chicken Keeping Ordinance

Revision: 1
Date: March 3, 2020

The Village Board of the Village of Hales Corners, Wisconsin does hereby ordain as follows:
Part 1. Hales Corners Municipal Code Section 670-30 is hereby revised to read as follows:
The maintenance of one or more horses, cattle, goat, swine or fowl, with exception of chicken(s) pursuant §579-18, in the Village is hereby declared to be a nuisance and possession or maintenance thereof in the Village is hereby prohibited, except that possession within the Village of one of any of said classes of animals for 24 hours or less at intervals of not less than eight days is permitted.

Part 2. Hales Corners Municipal Code Section 579-18, Domestic keeping of chickens is hereby created to read as follows:
The village board of the village of Hales Corners desires to provide for the health, safety, and wellbeing of its residents, to ensure and maintain property conditions and values and to provide residents the ability to pursue recreational activities. The following regulations will govern the keeping of chickens in residential zoning districts and are designed to prevent nuisances and prevent conditions that are unsanitary or unsafe.

(a) Permit Required.
- (1) No person shall keep chickens in the village without first obtaining a valid permit. The permit requires a completed application accompanied with a fee as set forth in the consolidated fee schedule. The permit application is also subject to Site Plan Approval and other requirements set forth below.
- (2) Permit. Each owner shall obtain a village issued permit prior to acquiring any live chicken. No more than one such permit may be issued for any single residential parcel or household. A permit and fee shall be required for each parcel.
- (3) No permit fee may be refunded in whole or in part or be transferable.
- (4) A permit is subject to revocation upon failure to comply with any provision under this code. Once a license is revoked, a permit may be reissued only upon appeal to the Village Board.
- (5) The permit shall be renewed and fee shall be paid annually. Delinquency of payment past 30 calendar days is sufficient for declaring lapse of permit and subject to Section a, Item 1.

(b) Site Plan Approval
- (1) The applicant must submit a site plan with the permit application which complies with the provisions of this chapter.

(c) Setbacks.
- (1) Coops or cages housing chickens shall comply with minimum setbacks according to the applicable Residence District, Chapter 745. Coops or cages shall not be located in the front yard. Coops or cages shall be kept at least 25 feet from the door or window of an occupied structure on an adjacent parcel.
- (2) Enclosure. A chicken coop shall abide by size prohibitions for a Temporary Structure not requiring a permit, § 745-7, Section D, (500 cubic feet) and Accessory Structure not requiring a permit, § 19-9, Section C (100 square foot area).

(d) Keeping of Chickens allowed. The keeping of up to six (6) chickens is allowed on a residential proper, under the following provisions:

(1) No roosters shall be kept.

(2) No chickens shall be slaughtered within village limits.

(3) There shall be no breeding of chickens.

(4) Chicken eggs shall not be sold.

(5) Chickens shall be provided fresh waters and adequate amounts of feed regularly. Feed and water is to be provided in dedicated containers as primary feeding source. Small amounts of scratch grain is allowed so long as it does not accumulated on the property. Any poultry feed shall be properly stored in rodent-proof containers.

(6) Chickens shall be provided with a covered, predator-proof coop or cage that is well ventilated with at least two square feet of space per chicken. Chickens shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the property and to prevent predators from access to the birds. Each chicken should receive not less than 16 square feet of area within the coop and outdoor enclosure. Chickens shall not be allowed out of the enclosures unless a responsible individual, over 18 years of age, is directly monitoring the chickens and able to immediately return the chickens to the cage or coop if necessary.

(7) Chicken coops or cages shall be moisture resistant, sturdy, constructed in a workmanlike manner, and either raised up off the ground or placed on a hard surface such as concrete, patio block, or gravel.

(8) The owner shall abide by all state laws and regulations for livestock premises registration, including applicable sections of Wisconsin Statute 95.51, and Wisconsin Administrative Code Chapter ATCP 17 and any applicable amendments thereto. Owner shall also follow state law regarding import, purchase and sales of live poultry as set forth in ATCP 10.40 and ATCP 10.42 of the Wisconsin Administrative Code and any applicable amendments thereto. The owner shall comply with any additional state regulations regarding public health.

(e) Public Health

(1) The owner shall practice proper poultry waste disposal in order to avoid odors. The coop or any enclosure must be cleaned on a regular basis to prevent accumulation of waste. Waste composting on the premises shall be allowed as long as it does not create nuisances for neighboring properties.

(f) Enforcement

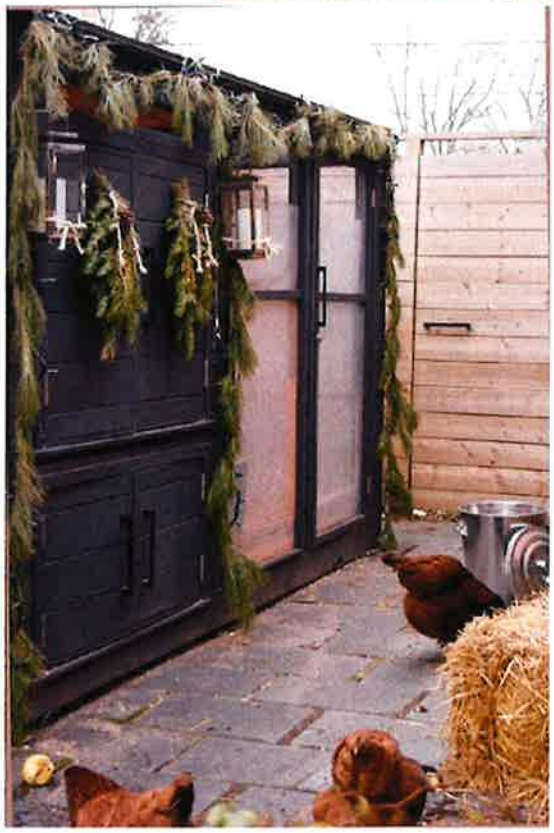
The enforcement for seizure and impounding of animals is regulated per Village Code chapter 579-4, 579-7, and 579-8. The owner is responsible for cost of impoundment or removal.

The Village shall issue permits and enforce all remaining provisions of this code. Penalties apply per Chapter 579-12.

Sources:
Common Council of the City of Wauwatosa WI. Ordinance No. O-15-28
Common Council of the City of Whitewater, Walworth and Jefferson Counties, WI. Municipal Code Chapter 9.06.015.
City Ordinance of Milwaukee, WI. Chapter 78-6.5
https://datcp.wi.gov/Pages/Programs_Services/BackyardChickens.aspx

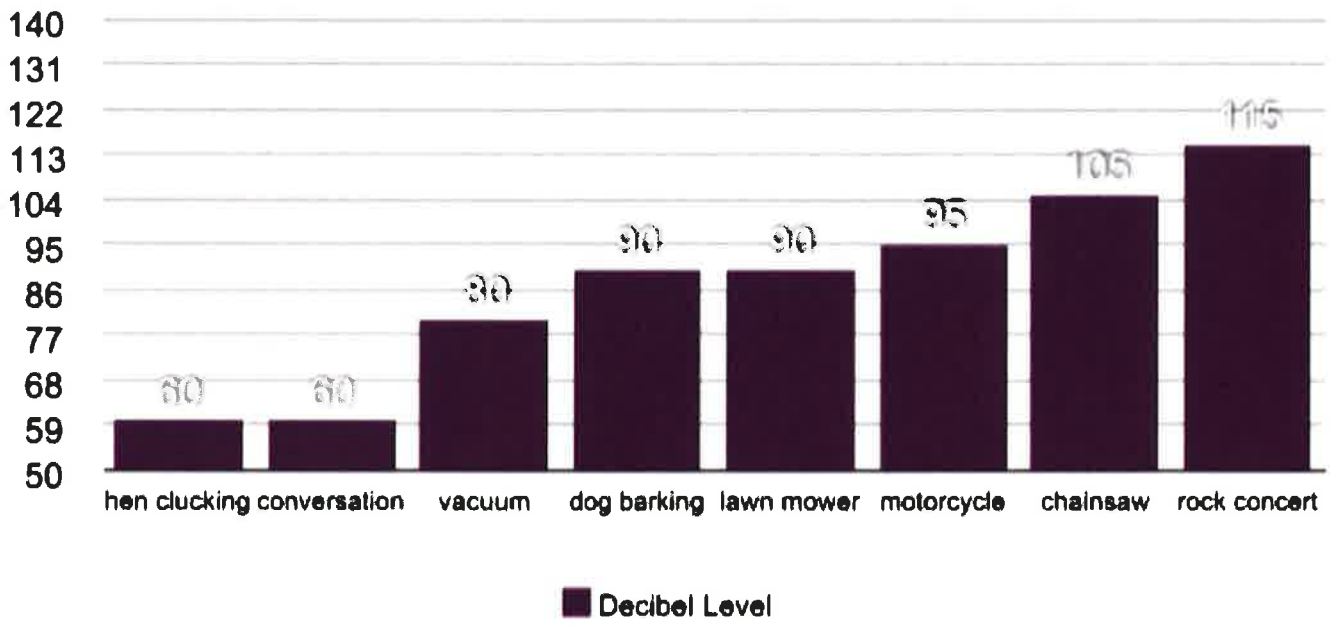
Appendix B: Examples of Coops

Here are some examples of backyard chicken coops on suburban and city lots:



Appendix C: Noise Comparison Study

Decibel level of hens at their loudest in comparison to common noises (the decibel scale is logarithmic, so 70 decibels is ten times more powerful than 60 decibels):



Appendix D: Testimonials from village/city officials

CITY OF WAUWATOSA
7725 WEST NORTH AVENUE
WAUWATOSA, WISCONSIN 53213 PHONE: (414) 479-8900
FAX (414) 479-8989 www.wauwatosa.net

To whom it may concern:

In 2013 I helped lead the charge in Wauwatosa to allow backyard chicken coops. We modeled our initial proposal after the ordinance in Milwaukee which allows for the keeping of chickens. After several meetings and through research we ultimately decided for a more conservative approach where by there would be a formal application and inspection but the onus would also be on the applicant from the applicant to get permission from any abutting neighbors. This approach was successful and the ordinance passed.

Since implementation we have issued 20 permits of which we have 8 current residents who are keeping chickens. We have also only received on complaint and that was in regards to a neighbor who was keeping chickens without a permit.

Based on the feedback I have received over the years I believe that people like the idea that they could keep chicken but that most people never will. My point is that the perception that Wauwatosa is "Hip, cool, trendy, and fun" was the best result of both the process and the end result, this of course along with many other factors has helped to change Wauwatosa's reputation around in a positive manner over the last decade.

I think allowing backyard chicken coops would be a positive and fun endeavor and benefit to your community.

Sincerely,

Bobby Pantuso

5th District Alderman

City of Wauwatosa

From: **Ĉ Ẽ E Ệ Ề Ē Â B Đ Ē Ē Ế Ề Ĕ** <MTucker@cityofmadison.com>
Date: Tue, Feb 20, 2018 at 12:18 PM
Subject: RE: Contact City of Madison Building Inspection

Hello- Take a look at the attached powerpoint. I prepared this for a presentation a few years ago. It has what you are probably looking for. We have seen no specific changes in our experience with urban chicken-keeping since I prepared and presented this powerpoint. Let me know if you have any questions.

B Đ Ế Ế Ĉ Ẽ E Ệ Ề Ē

Zoning Administrator

Building Inspection Division

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Madison, Wisconsin 53701-2984

Telephone: 608 266 4569

Email: mtucker@cityofmadison.com

www.cityofmadison.com/bi

Office of Councilmember Richard Conlin
Seattle City Council

May 30, 2013

Dear Ms. Heriot,

I am writing in response to your email requesting information about backyard chickens and the impact of legalizing them in our city. Seattle has legally allowed backyard chickens for a long time. Our original ordinance allowed 3 chickens (hens or roosters) per household with the ability to have a few more if the lot size was large enough. In 2008, the City passed by resolution the Local Food Action Initiative (LFAI). The purpose of this initiative was to set a policy framework to strengthen our local and regional food system to improve public health, local economic development and food security. It set forward a series of values, goals and implementation strategies. As one aspect of LFAI we are assertively advancing programs, actions and policies that support urban agriculture. We designated 2010 as the Year of Urban Agriculture and in 2010 we passed an ordinance that made a number of regulatory changes to our land use code that support urban agriculture including increasing the number of chickens allowed to 8 per household, but also making roosters illegal.

There is widespread support for backyard chickens in Seattle which is why we increased the number from 3-8. We also found that the impact of changing the number was not significant. When we held the public hearing for the 2010 land use code changes 100 people attended and the only negative comments we received were from people who wanted roosters to be outlawed. Due to this, the Council voted to outlaw them. For the most part having backyard chickens has been a very positive thing. Many people enjoy having fresh eggs and enjoy teaching their kids about animal care and where their food comes from. Also, a number of kids have enrolled in their local 4H club and focus their work on their backyard chickens. A number of private schools have built chicken coops and focus educational activities and science projects on their chickens. Some immigrant and refugee residents have benefited from being able to tend their own chickens and eat the eggs.

Allowing backyard chickens has actually stimulated small business development. We now have an in city feed store that sells feed, supplies and chicks as well as a co-op that does the same. There are also a number of small businesses that build chicken coops and consult on chicken care. A number of entities offer classes on building chicken coops and raising chickens. Some non-profit community gardening programs sell eggs as part of their funding strategies (community gardens are allowed more than 8 chickens). It has also stimulated community building activities, for example, there is an annual chicken coop tour of backyard coops that hundreds of people attend. There is no evidence that having chickens have negatively impacted property values or the quality of neighborhoods. In fact, chickens live in some of our most expensive neighborhoods.

City Hall, 600 Fourth Avenue, Floor 2, PO Box 34025, Seattle, Washington 98124-4025

(206) 684-8805, Fax: (206) 684-8587, **TTY: (206) 233-0025**
E-mail Address: richard.conlinaseattle.00v **Web:** http://www.seattle.govicounciliconlin

An EEO employer. Accommodations for people with disabilities provided upon request.

Printed on Recycled Paper

Appendix E: #1 city has chickens!

The City of Austin will pay you to keep a chicken coop in your backyard.

Author: KVUE Staff

Published: 11:33 AM CDT April 13, 2017

Updated: 4:38 PM CDT April 15, 2017

Do you dream of having your own chickens?

Dream no more. The City of Austin is offering free chicken keeping classes and is willing to pay you for it.

The city announced Thursday that as a part of Austin Resource Recovery's Home Composting Rebate Program, Austinites can attend one of five "chicken keeping classes," buy a chicken coop, submit a rebate application online and receive a $75 check from the city.

http://www.kvue.com/article/news/local/the-city-of-austin-will-pay-you-to-keep-a-chicken-coop-in-your-backyard/269-431009868

Appendix F: Wisconsin Cities that Allow Chickens

Ashwaubenon
Baraboo
Bayview
Beloit
Butler
Delafield
Franklin
Green Bay
Jefferson
Kiel
La Crosse
Lake Mills
Madison
Menomonie
Mequon
Mukwanago
Muskego
Milwaukee
Neenah
New Berlin
Oak Creek
Oshkosh
Racine
Richfield
River Hills
Sheboygan
Sheboygan Falls
Wausau
Wauwatosa
Whitewater

U.S News & World Report 2017 Best Places to Live (all of these cities allow chickens):

Austin, TX
Denver, CO
San Jose, CA
Washington, DC
Fayetteville, AK
Seattle, WA
Raleigh & Durham, NC
Boston, MA
Des Moines, IA
Salt Lake City, UT

Forbes 2018 Healthiest Cities (9 of the 10 allow chickens):

Minneapolis, MN
Washington, DC
Boston, MA
Portland, OR
Denver, CO
San Francisco, CA
Hartford, CT
Seattle, WA
Virginia Beach, VA
Sacramento, CA

Appendix G: Contact Information

Matthew Eternicka - Hales Corners Resident

262-488-1144

matth3w22@gmail.com

Lauren Adel Klich - Board Member - Nourish Farms

312-316-7766

laurenadel@gmail.com

Village of Hales Corners

5635 S. New Berlin Road
Hales Corners, WI 53130
Phone: (414) 529-6161
Fax: (414) 529-6179
www.halescorners.org

3.6

James R. Ryan Municipal Building

August Code Enforcement Report

1. 5570 S Kurtz Rd: PENDING Village ROW Ditch, planted wildflowers.
   Contact was made via phone with homeowner [redacted] He was advised that nothing can be dumped or planted in the ditch (Village ROW). He advised he would have it cleaned up in a week. Will be following up.

   [redacted]

2. 11120 W Grange Ave: PENDING Vehicle Storage – Police call #20-5388
   Turned over from Police to Code Enforcer. Call notes will be attached.

   Complaint consisted of complainant observing multiple vehicles parked in the driveway, and that the homeowner was selling a vehicle. Complainant is not a Hales Corners resident, and he was attempting to buy the vehicle.

   Attempted call back with homeowner's son, [redacted]. Unable to make contact. Followed up with Ofc. Brustmann via email, advising if I have correct phone number. Will be following up.

   [redacted]

3. 5555 S 104 St: CLOSED Flooding pool water
   Police call #20-4852. Turned over to Code Enforcer.
   Complainant advised his yard (across the street) gets flooded out every summer due to his neighbor draining their pool to the street.
   Letter was sent to the homeowner, due to not being able to make phone contact.

   Homeowner's granddaughter contacted me via phone [redacted]
   Courtney advised that she has been taking care of the pool for quite some time for her grandmother, and that they only drain the pool for one hour a day until it is empty, and it does not cause flooding. After the pool had already been drained (the pool was already drained after receiving the initial complaint), there was heavy rainfall which caused the standing water on the street.
   The water is dechlorinated prior to drainage, so there is no violation taking place.

   Complainant, [redacted]
   Contact, [redacted]
   [redacted]

4. 11800 Woodland Cir: CLOSED 10 day grass notice
   Grass was cut

5. 11890 Woodland Cir: CLOSED 10 day grass notice
   Grass was cut.

6. 12300 W Edgerton Ave: CLOSED 10 day grass notice
   Grass was cut.

7. 5601 S 108 St: PENDING Garbage dumpster/can looks bad
   Will be following up.

   [redacted]

8. 10852 W Denis Ave: PENDING Feeding raccoons
   Has been a problem in the past, Police call #20-2942
   Unable to make contact via phone, will be following up with a letter.

   [redacted]

Village of Hales Corners

Memo

To: Village Board

From: Sandy Kulik, Village Administrator

Date: September 3, 2020

Re: Agenda Item : 3.7 – Payroll Tax Deferral – Presidents Executive Order

---

As you may be aware, the President signed an executive order authorizing a "deferral" of social security taxes (6.2%) as a deduction from employees' wages. As a deferral, the employee would be obligated to pay them back and under the order they are to be paid in the first quarter of 2021. The employer is obligated to deduct them from the employees' wages.

It is voluntary as to whether the Village or employees wish to participate in this program. Several problems with the program as designed are concerning.

First, what happens if an employee terminates at any point either during the deferral or the payback period? The Village would be held accountable for collecting the funds and then the question is "what if the last paycheck isn't enough to cover the deficit?"

Second, as it is voluntary, if some employees choose to defer and some do not, accounting is keeping track of all of that.

Third, the period is supposed to begin on September 1, 2020 and the pay period is coming up on 9/9/20 for processing. There is just not enough time to implement this program.

At this time, it is not feasible or wise for the Village to offer this option. Not one employee has requested or even asked about this program. I am asking for support in a decision to not participate in the deferral.

Sandra Kulik

From: Rachel Pocquette
Sent: Tuesday, September 1, 2020 11:31 AM
To: Sandra Kulik
Subject: FW: Tax Deferral UPDATE (9/1)

Importance: High

Rachel Pocquette
Deputy Clerk
Village of Hales Corners
5635 S. New Berlin Rd.
Hales Corners, WI 53130
414-529-6161

From: Payroll Data Communication [mailto:communication@payrolldata.com]
Sent: Tuesday, September 1, 2020 11:19 AM
Subject: Tax Deferral UPDATE (9/1)
Importance: High

Good Afternoon –
We know there are still many questions around the IRS guidance that was released Friday evening. After having a few days to review and discuss the Payroll and Tax communities have come to some agreement on what it all means. There are still a few vague areas, but we will continue to update you if things change.

Below are some of the common questions we have received. If you have other questions, please reach out to your Client Service Representative.

Q: Are employers required to defer the withholding?
A: Neither the Presidential Memorandum nor IRS notice 2020-65 *REQUIRE* an employer to defer the payment of the employee Social Security Taxes. Therefore, employers may choose to continue to withhold and deposit employee taxes as usual. Employers may opt out of offering this.

Q: This is effective Sept 1 (Today), right? What if I have already processed a payroll but do want to allow employees to defer.
A: The Notice does allow for the deferral of the withholding beginning on September 1, however, it was not released until 5pm Friday August 28, therefore system updates are still in process. At this time, there is no direction from the IRS regarding the deferral being applied retroactively. At this point, all withholdings and payments should be made as usual. Once we have guidance from our technology partners on when their systems will be updated and how the system will handle this new option, we will communicate the process.

Q: Is this a forgiveness of taxes for the employees?
A: NO! This is simply a deferral. Employees are still obligated to pay the taxes, and therefore employers are still obligated to withhold and deposit the taxes, just at a later date.

Q: What if an employee leaves the company prior to the collection of the deferred taxes?
A: As the Notice is written, there is no relief available to employers should an employee leave the company, for any reason, prior to the owed taxes being collected. The employer is still obligated to pay those deferred taxes by May 1, 2021, or face penalties and interest, regardless if they were able to collect those funds from the employee or not. The guidance states that "If necessary, the Affected Taxpayer may make arrangements to otherwise collect the total Applicable Taxes from the employee". It is not clear, what those arrangements could be.

Q: Do employees have the option to opt in or opt out if the company offers the deferral as an option?
A: It does appear that if an employer elects to allow these deferrals, it can be done on the employee level, but we are still awaiting the technology direction on how this will be handled. We are seeing several suggestions of steps to take for those employers who do choose to offer this to employees. One of the most common recommendations that we are seeing is to have employees sign a contract agreeing they understand that they are responsible for the repayment of the taxes, including the potential of seeing duplicate taxes Jan – April 2021 or making a lump sum payment. It is highly recommended that you consult with your financial and legal advisors if you do plan to offer the deferral.

Q: What do we do if we want to allow the deferral?
A: We are still awaiting updates from our technology partners. Once we have that guidance, we will communicate the process.

Q: Can an employer elect to withhold the taxes from the employee now, but defer the payment of the taxes to the IRS?
A: No. The due date of the taxes to the IRS is determined based on the date of withholding. This Notices allows the deferral of withholding, thereby deferring the due dates, it does not defer the due date alone, therefore the taxes are still due upon withholding.

Payroll Data Services Communications

STATE OF WISCONSIN VILLAGE OF HALES CORNERS MILWAUKEE COUNTY

RESOLUTION NO. 20- xx

A RESOLUTION AUTHORIZING 2020 COMPUTER REPLACEMENT FUND BUDGET AMENDMENT FOR MUNICIPAL COURT AND POLICE DEPARTMENT EXPENDITURES

WHEREAS, the Village Board of Trustees of the Village of Hales Corners has reviewed and approved a 2020 Budget on November 11, 2019; and

WHEREAS, the computer server that backs up data for the Municipal Court failed and requires replacement as the temporary solution is not intended nor able to support the operation long-term ; and

WHEREAS, the fund balance of the Computer Replacement Fund Balance is $43,906; and

WHEREAS, no expenditures were budgeted for in the fund for 2021 and are available from this fund which is restricted for technology needs; and

WHEREAS, the Village Board deems this purchase necessary for the sustainability of Village Court operations and further safeguards Police Department operations by tying the server to both departments.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby authorizes and directs the line item changes as follows:

Account	Description	Increase (Decrease)
701-512-999	Outlay	12,000

BE IT FURTHER RESOLVED that this resolution be published as a Class 1 notice within 10 days of adoption.

PASSED and ADOPTED this ___th day of _____, 2020.

_____
Daniel J. Besson, Village President

(VILLAGE SEAL)

_____
Sandra M. Kulik, Administrator/Clerk

Sandra Kulik

From: dnovy <dnovy@hcpd.net>
Sent: Wednesday, September 2, 2020 3:42 PM
To: Sandra Kulik
Cc: bkroll hcpd.net
Subject: PD Server Quote
Attachments: 1C2Q5ZK.pdf

Hi Sandy,

Attached is a quote for a server that will serve the needs of the PD and Court.

As you know, Court's decade old server crashed last week. I was able to restore the most recent backup on a different piece of hardware, but it is a temporary fix.

The PD's current server is not satisfying their needs. From a technology standpoint, they are over a decade in the past and lack proper file storage services, print server functionality, application services, and backups. This server is an effort to modernize the lack of infrastructure at the PD.

I am working on getting a quote from Dell as well. I've submitted my requirements to them and am awaiting a reply.

Thank you,
Derek

---------- Original Message ----------
From: CDW <cdwsales@cdwemail.com>
To: dnovy@hcpd.net
Date: September 2, 2020 3:21 PM
Subject: CDW-G Quote Confirmation: Quote #1C2Q5ZK/P.O. Ref. PD SERVER QUOTE

Thank you for choosing CDW-G. We have received your quote request. | **View in browser**

Hardware Software Services IT Solutions Brands Tech Library

Review and Complete Purchase

Derek Novy,

Thank you for considering CDW-G for your technology needs. The details of your quote are below. **If you are an eProcurement or single sign on customer, please log into your system to access the CDW site.** You can search for your quote to retrieve and transfer back into your system for processing.

For all other customers, click below to convert your quote to an order.

Convert Quote to Order

IMPORTANT — PLEASE READ:

Special Instructions: Beginning of customer text:
Hi Neal, Can you refer me to
someone who can discuss in further
detail about this server
configuration? I'm trying to get
some solid numbers for a server
purchase here, and I don't want to
leave anything out. Thanks, Derek
End of customer text.

Quote #	Quote Date	Quote Reference	Customer #
1C2Q5ZK	09/1/2020	PD SERVER QUOTE	1645690

Order Details

Item	Qty	CDW #	Unit Price	Ext. Price
HPE ProLiant DL325 Gen10 Plus - rack-mountable - EPYC 7302P 3 GHz - 32 GB Mfg. Part#: P18604-B21 Contract: Wisconsin Counties Association	1	5899922	$2,628.73	$2,628.73
HPE - power supply - hot-plug / redundant - 500 Watt - 563 VA Mfg. Part#: 865408-B21 UNSPSC: 39121004 Contract: Wisconsin Counties Association	1	4708383	$127.64	$127.64
HPE SmartMemory - DDR4 - 16 GB - DIMM 288-pin - registered Mfg. Part#: P07642-B21 Contract: Wisconsin Counties Association	6	5900313	$175.40	$1,052.40
HPE Read Intensive - solid state drive - 960 GB - SAS 12Gb/s Mfg. Part#: P10440-B21	6	5531988	$653.35	$3,920.10

	UNSPSC: 43201830 Contract: Wisconsin HP Enterprise NVP Computer Equipment (MNNVP-134 505ENT-O16-NASP)				
	HPE QL41132HLRJ - network adapter Mfg. Part#: P08437-B21 Contract: Wisconsin HP Enterprise NVP Computer Equipment (MNNVP-134 505ENT-O16-NASP)	1	5964690	$517.57	$517.57
	HPE 12W Smart Storage Battery with Plug Connector - battery Mfg. Part#: 782961-B21 UNSPSC: 26111710 Contract: Wisconsin Counties Association	1	4007993	$89.60	$89.60
	Microsoft Windows Server 2019 Standard Edition - license - 16 cores Mfg. Part#: P11058-B21 UNSPSC: 43233004 Contract: Wisconsin HP Enterprise NVP Computer Equipment (MNNVP-134 505ENT-O16-NASP)	2	5532079	$795.00	$1,590.00
	Microsoft Windows Server 2019 - license - 1 user CAL Mfg. Part#: R18-05796 UNSPSC: 43233004	20	5300179	$33.91	$678.20
	HPE Integrated Lights-Out Advanced - license + 3 Years 24x7 Support - 1 ser Mfg. Part#: BD505A UNSPSC: 43232804 Contract: Wisconsin HP Enterprise NVP Computer Equipment (MNNVP-134 505ENT-O16-NASP)	1	4274251	$342.37	$342.37
	HPE CTO ONLY DL325 G10+ 8SFF SA MOD Mfg. Part#: P16979-B21 Contract: Wisconsin Counties Association	1	6043089	$61.25	$61.25

HPE Universal SATA HH M.2 Kit Mfg. Part#: 878783-B21 Contract: Wisconsin Counties Association	1	4988965	$114.58	$114.58
HPE Dual Read Intensive - solid state drive - 240 GB - SATA 6Gb/s Mfg. Part#: P19888-B21 Contract: Wisconsin HP Enterprise NVP Computer Equipment (MNNVP-134 505ENT-O16-NASP)	2	6070283	$350.40	$700.80

Subtotal	$11,823.24
Sales Tax	$0.00
Grand Total	**$11,823.24**

Purchaser Billing Info	Deliver To
Billing Address: 5635 S NEW BERLIN RD HALES CORNERS, WI 53130-1775 **Phone:** (414) 529-6160 **Payment Terms:** DO NOT SHIP	**Shipping Address:** HALES CORNERS POLICE DEPT. ATTN:DEREK NOVY 5635 S NEW BERLIN RD HALES CORNERS, WI 53130 **Phone:** (414) 529-6160 **Shipping Method:** UPS Ground (1- 2 day)

Sales Contact Info

Neal Zolt
| (866) 843-0749 | nealzol@cdwg.com

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3.9

Sandra Kulik

From:	Kathy Radloff
Sent:	Thursday, September 3, 2020 11:43 AM
To:	Sandra Kulik
Subject:	FW: Agreement with Milwaukee County Emergency Management
Attachments:	OEM-Hales Corners Health Department CORE Team AGREEMENT v3.docx; OEM Testing Agreement Appendix A (Fee Schedule).docx

Sandy,

Jesse ok'd this. Do I need to write a resolution to submit to the Board with the CORE Team Agreement?

Thanks,

KAthy

From: Kathy Radloff
Sent: Friday, August 21, 2020 4:49 PM
To: Jesse Wesolowski (jweslaw@aol.com) <jweslaw@aol.com>
Cc: Sandy Kulik (skulik@halescorners.org) Village Administrator <skulik@halescorners.org>
Subject: Agreement with Milwaukee County Emergency Management

Jesse,

The suburban Milwaukee County Health Departments have been planning with Milwaukee County OEM to create a CORE Team to provide a rapid response for COVID-19 testing in the event of an outbreak in our jurisdiction. The Health Department received CARES Act funding ($39,300) that must be used for COVID-19 testing coordination and is contributing a portion of the funding to establish this team. If Hales Corners uses the team for an outbreak, for example at a business or a school, the CORE team can respond quickly to set up a temporary testing site. The Health Department would be billed for the hourly rate for the staff doing testing. This cost would be covered by the CARES Act funding.

Please review the agreement and Appendix A and respond with any revisions by 9/2/2020. This will be on the agenda at the September COW for Board review/approval.

Thanks,

Kathy

Kathy Radloff, RN
Health Office
Hales Corners Health Department
5885 S. 116th St.
Mailing: 5635 S. New Berlin Rd.
Hales Corners, WI 53130
☎ 414-529-6155
🖷 414-529-6157
✉ kradloff@halescornerswi.org

Public Health
Prevent. Promote. Protect.
Hales Corners
Health Department

SERVICE AGREEMENT

between

HALES CORNERS PUBLIC HEALTH DEPARTMENT

and

MILWAUKEE COUNTY OFFICE OF EMERGENCY MANAGEMENT

EMERGENCY MEDICAL SERVICES DIVISION

FOR THE PROVISION OF MEDICAL SERVICES

THIS AGREEMENT is entered into as of the 21st of August of 2020 by and between Hales Corners Public Health Department ("PHD"), and by Milwaukee County ("County"), as represented by its Office of Emergency Management Emergency Medical Services Division ("OEM-EMS"), for the provision of medical services during the COVID-19 Pandemic. Together, PHD and OEM-EMS, shall be referred to as "Parties".

RECITALS:

WHEREAS, The residents of Milwaukee County have suffered a tremendous impact, socially and economically, due to the COVID-19 Pandemic; and

WHEREAS, testing capabilities and capacities have been limited for several reasons resulting in challenges to gain a perspective of the burden of disease both individually as well as in the community and impacts of reopening businesses and operations; and

WHEREAS, OEM-EMS emergency medical services staff (collectively, the "staff") are participants in the Milwaukee County EMS system, providing seamless collaboration and operational capacity to assist the municipalities in a community oriented regional EMS response; and

WHEREAS, the Wisconsin National Guard, who have been assisting with testing efforts, will be ending their presence in the near future; and

WHEREAS, PHD requests OEM-EMS to provide medical services during the COVID-19 Pandemic to include, but not be limited to, scheduled specimen collection and mass vaccination administration.

NOW, THEREFORE, in consideration of the objectives of the Parties and the mutual benefits accruing to the Parties from performance of the covenants herein made, it is mutually agreed that this Agreement sets forth their respective responsibilities in conjunction with the provision of providing medical services to PHD.

ARTICLE I. PURPOSE AND SCOPE

A. This Agreement will define services provided, responsibilities of medical equipment, responsibilities related to staffing of Emergency Medical Services (EMS) providers and cost responsibilities.

B. This Agreement will cover medical services required by PHD, for events scheduled within the municipality.

C. This Agreement will provide properly trained and licensed emergency medical services staff to provide non-emergent medical services to citizens of municipalities requesting services.

Unless this Agreement is terminated earlier as provided herein, the services pertaining to this Agreement shall be in force from August 21, 2020 until December 31st, 2021. If PHD and the County have agreed to an extension or modification of this Agreement, but the County Board of Supervisors has withheld approval of the extension or modification, the County shall only be held liable for services provided to PHD, up until such action by the County Board of Supervisors. At any time during the Term, either PHD or the County may terminate this Agreement, for any reason or no reason at all, effective thirty (30) days after written notice of termination is delivered to the other Party. Upon termination of this Agreement, all County equipment must be returned, and all rights and obligations of the Parties shall terminate as of the date of termination.

ARTICLE II. COUNTY RESPONSIBILITIES AND REQUIREMENTS

A. County will provide properly trained and licensed emergency medical services staff to provide non-emergent medical services to citizens and businesses during COVID-19 as determined by PHD.

B. The OEM Director will be administratively responsible for all other aspects of the medical services. The OEM Director will act as primary liaison between County and PHD.

C. A supervisor (OEM-EMS Supervisor) will be provided by County to be responsible for overseeing day-to-day operations during events. In addition to management of medical services and EMS team member responsibilities, the EMS Supervisor will be responsible for keeping and submitting requested documents to PHD, maintaining records, scheduling, implementing and monitoring of policies, procedures and protocols developed through consultation with PHD. The number of hours allotted to

the EMS Supervisor to perform administrative duties will be determined by County.

D. County will be responsible for the setting up and maintaining organization of the service station(s) in a manner conducive to providing medical services, and providing medical staffing as requested.

E. All County personnel working at PHD events must follow established medical policies and Standard of Care guidelines outlined by OEM-EMS. County shall complete all initial screening of such personnel.

F. In addition, all County personnel working at PHD events must follow policies and guidelines created by County which are established. All staff must display their County credential as part of their uniform.

G. All personnel assigned to the PHD events shall wear such uniforms as directed by County including PPE which shall be determined by the EMS Medical Director and EMS Division Director.

H. County shall provide a recommendation to PHD on the proper number of EMS staff to be scheduled for a given event. This determination may be made in consultation with the County EMS Medical Director.

I. County staff will participate in the specimen collection of samples from patients, patient labeling, and information briefing related to the process. Other services such as vaccinations may be discussed and mutually agreed upon between the Parties as needed.

J. County will provide an EMS Medical Director for oversight of the CORE program with guidance and medical expertise of the EMS services only. The current agreement between County and the Medical College of Wisconsin (MCW) is agreement 18-880 for reference.

ARTICLE III. PHD RESPONSIBILITIES AND REQUIREMENTS

A. PHD will provide adequate parking spaces for County personnel working events.

B. PHD shall keep County advised of the schedule of private and public events and any changes thereto in a timely manner.

C. PHD will supply an on-site representative, as feasible, for each event to assist with ensuring correct processes. PHD will also supply an interpreter should the need for translation services be identified.

D. PHD shall allow County to provide signage identifying that the events are staffed by OEM-EMS staff.

E. PHD will be responsible for coordinating all patient notification, follow-up, WEDSS entry and contact tracing.

F. PHD shall reimburse County for costs of personnel and necessary equipment and supplies as follows:

(a) PHD(s) requesting this service to be made available shall subscribe to the service in semi-annual payments as outlined in Appendix A to OEM-EMS. The subscription will cover costs related to:

- Program Administration
- Equipment needed to operationalize services
- Training for EMS Staff

(b) County shall invoice PHD monthly for all such costs incurred in the prior month.

(c) Hourly rates for services will be set by County and detailed in Appendix A of this agreement. Changes to hourly rates requires a 30-day written notice to the PHD(s).

(d) MCW shall invoice OEM-EMS for Medical Director services every 3 months for services provided at the rate outlined in Appendix A of this agreement.

ARTICLE IV. COUNTY EQUIPMENT RESPONSIBILITIES AND REQUIREMENTS

A. County will supply tent structure(s), tables, dividers and chairs to allow for flow for the services provided.

B. County will supply electronic devices for each team to complete any documentation required.

C. County will provide adequate PPE as directed by EMS Medical Director.

D. County will provide all materials required to properly decontaminate equipment and workspace.

E. County will provide appropriate outdoor attire as part of the EMS uniform.

F. County will provide supplies to complete the service(s) requested.

G. County will organize a courier service for transport(s) if necessary.

ARTICLE V. LIABILITY AND RISK ALLOCATION REQUIREMENTS; INSURANCE

A. If the Agreement is not terminated all terms and conditions shall remain the same unless modified in writing and agreed to by both Parties prior to September 1 of each year, all Parties shall meet to negotiate in good faith any changes to the costs set forth in Article III (F) of this Agreement.

B. The Parties shall mutually defend, indemnify, and hold harmless one another as follows: County will bear the responsibility and resultant liability for claims, actions damages, liability and expenses, including defense costs and attorney fees, in connection with loss of life, personal injury, or damage to property of anyone including County employees, agents or representatives arising from or out of

any (a) wrongful, intentional, or negligent action or omission by County employees, agents, or representatives; or (b) any claim alleging that an agent, employee or contractor of County is an employee of PHD. Nothing in this Agreement shall be construed to constitute a waiver of any otherwise applicable immunity, limited immunity or limitation on liability under Wisconsin law.

PHD will bear the responsibility and resultant liability for claims, actions, damages, liability and expense, including defense costs and attorney fees, in connection with loss of life, personal injury, or damage to property arising from or out of any wrongful, intentional, or negligent action or omission by PHD employees, agents, or representatives.

C. County Insurance: Milwaukee County is permissibly self-insured. This means that Milwaukee County is a municipal body corporate that self-funds for liability under §§ 893.80 and 895.461 of the Wisconsin Statutes, as well as automobile liability under § 345.05, Stats. Milwaukee County is also permissibly self-insured under § 102.28{2)(b), Stats. for workers' compensation.

ARTICLE VI. GENERAL PROVISIONS

A. Neither Party may assign, transfer, suffer or permit its rights or obligations under this Agreement or any part of them to be used by or transferred to others, without the prior written consent of the other Parties. Notwithstanding the foregoing, PHD may, without the consent of County, (i) assign its rights and obligations hereunder to any affiliate of PHD or any other entity that has the right to grant the rights under this Agreement (including any successor operator of the Event), so long as said party assumes the obligations of PHD , (ii) assign this Agreement to an acquirer of all or substantially all of PHD assets, and (iii) collaterally assign this Agreement to a third party

B. This Agreement shall be governed, construed and enforced in accordance with the laws of the State of Wisconsin. Any litigation over the enforceability of the provisions herein or to enforce any rights hereunder shall be in state court with venue in Milwaukee County.

C. In connection with the performance of work under this contract, all Parties agree not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s.51.01(5), sexual orientation or national origin. This provision shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with

respect to sexual orientation, County further agrees to take affirmative action to ensure equal employment opportunities. County agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

D. In their performances under this Agreement, the Parties shall comply in all respects with all federal, state, county, and municipal laws.

E. The relationship created by this Agreement is that of independent contractors. Nothing in this Agreement shall be construed so as to constitute the Parties as joint ventures or partners or to make either Party the agent of the other or to make either Party liable for the debts or intentional or negligent acts of the other. Neither Party shall have or hold itself out as having any power or authority to bind, create liability for, or otherwise act on behalf of the other.

F. All notices, requests, demands or other communications, required under this Agreement shall be in writing and shall be deemed to have been duly given if personally delivered or mailed, first class, postage prepaid, certified or registered mail, return receipt requested, to the following address, unless another address shall have been given to the other Party in writing, in which event they shall be delivered or mailed to such other address:

To Hales Corners Health Department

Attn.: Kathleen Radloff
5635 S New Berlin Rd
Hales Corners, WI 53130

To County:
Office of Emergency Management
Attn.: Cassandra Libal
633 W. Wisconsin Ave, Suite 700
Milwaukee, WI 53203

ARTICLE VII. CONFIDENTIALITY / PRIVACY PRACTICES

A. Patient care records generated by County staff as part of providing patient care at events at the Event will remain property of County and protected by the Health Insurance Portability and Accountability Act (HIPAA).

B. The Event shall carry out its obligations under this Agreement in compliance with the privacy regulations pursuant to the Public Law 104-191 of August 21, 1996, known as the Health Insurance Portability and Accountability Act of 1996,Subtitle F - Administrative Simplification, Sections 261,*et seq.,* as amended ("HIPAA"),to protect the privacy of any personally identifiable protected health

information ("PHI") that is collected, processed or learned as a result of PHD services provided hereunder. In conformity therewith,

C. PHD agrees that they will:

i. Not use or further disclose PHI other than as permitted under this Agreement or as required by law;

ii. Use appropriate safeguards to prevent use or disclosure of the PHI except as permitted by this Agreement;

iii. To mitigate, to the extent practicable, any harmful effect that is known to PHD of a use or disclosure of PHI by PHD in violation of this Agreement;

iv. Ensure that any agents or subcontractors to whom PHD provides PHI, or who have access to PHI, agree to the same restrictions and conditions that apply to PHD with respect to such PHI;

v. Make its internal practices, books, and records relating to the use and disclosure of PHI available to the Secretary of the Department of Health and Human Services for purposes of determining PHD's and County's compliance with HIPAA; and

vi. At the termination of this Agreement, return or destroy all PHI received from, or created or received by PHD on behalf of County, and if return is infeasible, the protections of this Agreement will extend to such PHI.

D. The specific uses and disclosures of PHI that may be made by PHD on behalf of County include:

i. Review of patient care information as required for treatment, payment and health care operations.

ii. Uses required for contact tracing and Public Health Department official business.

iii. Other uses or disclosures of PHI as permitted by HIPAA privacy rule and Wisconsin State Statutes.

E. Notwithstanding any other provisions of this Agreement, this Agreement may be terminated by County, in its sole discretion, if County determines that PHD has violated a term or provision of this Agreement pertaining to County service obligations under the HIPAA privacy rule, or if PHD engages in conduct which would, if committed by County, result in a violation of the HIPAA privacy rule by County.

SIGNATURE PAGE FOLLOWS:

IN WITNESS WHEREOF, the parties hereto have executed this Contract on the day, month and year first above written.

Hales Corners Health Department

By: _____ Date: _____
Kathleen Radloff, RN

[Office of Emergency Management]

By: _____ Date: _____
Cassandra Libal, Interim Director

Approved under the COVID-19 Fiscal Action Administrative Order:

By: _____ Date: _____
Department of Administrative Services

Approved with regards to County Ordinance Chapter 42:

By: _____ Date: _____
Community Business Development Partners

Reviewed by:

By: _____ Date: _____
Risk Management

Approved for execution:

By: _____ Date: _____
Corporation Counsel

Approved as to funds available per Wis. Stat. sec. 59.255(2)(e):

By: _____ Date: _____
Comptroller

Approved:

By: _____ Date: _____
County Executive

Approved as compliant under sec. 59.42(2)(b)5, Stats.:

By: _____ Date: _____
Corporation Counsel

ADDENDUM to the Service Agreement between
Hales Corners Health Department
and
Milwaukee County Office of Emergency Management
Emergency Medical Services Division

Per Article III F (a, c, and d) of the Milwaukee County Office of Emergency Management (OEM) agreement with Hales Corners Health Department, OEM will submit a notice of salary costs for OEM staff who provide out-of-hospital medical services to the citizens of the municipality for which the local health department named above serves.

Fees for services requested by Hales Corners Health Department will be charged per staff hour. Fees include wages, FICA, hazard pay and an administrative charge. The subscription fee is intended to cover costs related to training, disposable equipment, and PPE.

	2020
6-Month Subscription	Up to $2,000.00
EMS Provider (Hourly)	Tier 1 $40.00 Tier 2 $50.00
Courier Service (per event)	Up to $200.00

IN WITNESS WHEREOF,
the Parties have executed this Agreement as of the day and year set forth herein.

For Hales Corners Health Department

_____ _____
by Kathleen Radloff, RN Date

For Milwaukee County Office of Emergency Management:

_____ _____
by Cassandra Libal, Interim OEM Director Date

3.11

October 2020

November 2020

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

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	1	2	3
4	5 COW (SK)	6 BOT BUDGET MTGS DEPT (SK)	7 ~~BOT BUDGET DEPTS (SK)~~	8 BOT BUDGET DEPTS (SK)	9	10
11	12 Columbus Day BOT (SK)	13 BOT BUDGET Depts (SK)	14 BOT BUDGET DEPTS (SK)	15 PUC (MM) BB (CM)	16	17
18	19 PC-(MS) AV (MS)	20 FPC (SK) AV (MS)	21 BOT BUDGET DEPTS (SK) AV (MS)	22 ~~BOT BUDGET DEPTS SK~~ AV (MS)	23 AV (MS)	24
25	26 BOT (SK) AV (MS)	27 AV (MS)	28 AV (MS)	29 AV (MS)	30 AV (MS)	31

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AV = ABSENTEE VOTING

Village of Hales Corners

Memo

To: Village Board

From: Sandy Kulik, Village Administrator

Date: September 3, 2020

Re: Agenda Item : 3.12 – Audit RFP

The Audit RFP Committee members reviewed the submissions from six (6) firms independent of one another and then met virtually to review and discuss our findings.

The scores were analyzed and the high average score was for Baker Tilly Virchow Krause, LLC. The lowest overall average cost score was Kerber Rose SC with a difference of $4,750 over the life of the proposed contract.

REVIEWER	M. Hug	R. Brinkmeier	S. Kulik	AVE. SCORE	2020	2021	2022	AVE. COST.
Baker Tilly Virchow Krause LLP	83	71	75	76	24,500	24,950	24,950	24,800
Lauterbach & Amen LLP	67	65	70	67	15,000	15,465	15,930	15,465
Kerber Rose SC	61	72	63	65	22,500	23,200	23,950	23,217
Reilly, Penner, Benton LLP	69	73	52	65	26,200	26,975	27,750	26,975
WIPFLI, CPA's & Consultants	64	72	49	62	25,000	25,500	26,000	25,500
Clifton, Larson, Allen	47	33	15	32	n/a	n/a	n/a	#DIV/0!

During our review meeting, Mr. Hug and I had the highest score for Baker Tilly due to the thoroughness of the RFP and their use of technology during all phases of the audit was the only presentation that had the option. Concerns regarding the Lauterbach & Amen LLP proposal were related to timing of fieldwork during peak Village Tax Collection and the statement within the proposal that indicated there would be a significant amount of Village staff involvement which the reviewers felt enabled the very low pricing structure. The only other item that should be reported is that Clifton, Larson, Allen had an incomplete proposal. They did not include any costs elements at which point I stopped reviewing them. In addition, the transmittal proposal incorrectly addressed me as "Tammy" which led to concerns about accuracy.

Based upon the Committees review, we are recommending that the Audit Contract be awarded to Baker Tilly Virchow Krause LLP.